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CITY AND COUNTY OF
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TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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SF
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#1
1/10/06

January 10, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the December 13, 2005 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Staff Report [INFORMATION]
6. Vehicle Standard Proposal [INFORMATION AND POSSIBLE ACTION]
7. Review of Paratransit Legislation Introduced by Supervisor Peskin [INFORMATION AND POSSIBLE ACTION]
8. Public Comment (Please limit public comment to items not on the agenda).
9. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Sadeq Algahaim	Mohammed N. Ali	Vladimir Artuyunyants	Suhil Babikir
Ventura Ballin	Igor Belov	Lucius Bingham	Fentahun W. Biwota
Ahmed K. Bourezzou	John Braswell	Nadia Cabezas	Kathleen Canright
Hoang Chung	Leonardo Cossio	Solemon T. Deaneke	Abbes Dennoun
Ademar I. A. Filho	Araya Gebremedhin	Dawit Ghebrit	Alexandre Guedes
Ja Gyi Maung	William Harjo	Chart Harnyoot	Moon Ho Lim
Zaw Htut	Denise Hunt	Chukwubuikem I. Iwuji	Norhier R. Keshishian
David Kyu	Sandeep Lal	Rolfe Louie	Alvin Luis
Artur Lyubelskiy	Enrique Magnoli	Vipassak Manoonsilpa	Jarrett A. Mason
Luiz Neto	Myoung Noah	Yelena Oleynik	Genaro Paredes
Bryan Poli	Youssef Rhazi	Pises Sanesa-Ard	Alexandre Santos
Melaku Sebhatu	Mohamed Sheikh	Muhammad N. Siddiqui	Sarabjeet Singh
Sohan Singh	Kevin E. Spencer	Nag Joong Sung	Sisay H.Tariku
Delma Teles	Zaman Tohki	Howard Trinh	Lander F. Xavier
Mohammed Youssfi	Lahouari Zaim		

B. Recommendation of the Taxi Commission for consideration of Color Scheme Change to:

Medallion Holder	Cab #	Change
1. Abbas Burt Saatsaz	1281	Town Taxi to YellowCab
2. Yolanda Cavaleri	153	RoyalCab to Union Cab ***(Request Withdrawn)***
3. Giuseppe Carvelli	527	Royal Cab to Union Cab ***(Request Withdrawn)***
4. Firouz E. Mahdavi	419	Regent Cab to Union Cab
5. Le Yen	1209	Luxor Cab to Union Cab
6. Faramarz Golshan	398	Arrow Cab to Union Cab
7. Aboulghassem Khan Malmirchegini	9052	Black &White to Union Cab *(Continued from 12/13/05)*

C. Recommendation of the Taxi Detail for consideration of Taxicab Medallion Holder Permit to:

Taxicab Permit Holder	Cab#	Color Scheme
1. Spanky Woods	561	National
2. Philip Anton	595	Regents

D. Recommendation of the Taxi Detail for consideration of Ramp Taxicab Medallion Permit to:

Ramped Taxicab	Cab#	Color Scheme
1. Casey Chan	9056	Fog City

E. Consideration of the Taxi Commission to grant a time waiver or second time waiver to:

1. Thomas Poon *(second request)*
2. Danny Poon *(second request)*
3. Mortimer Joyce*
4. Mekonnen T. Areda

*Applicant name is up for consideration to be removed from the Taxicab/Ramp Medallion Waiting List-Item F.

F. Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion Waiting List:

Applicant Name	List #
1. Mortimer Joyce	6-195 *(Continued from 12/13/05 Meeting pending decision on Time WaiverRequest)*

G. Consideration of the Taxi Commission to remove deceased applicant name(s) from the Taxicab/Ramp Medallion Waiting List:

Applicant Name	List #
1. Richard Graham	6-483
2. Dennis McCarthy	6-496
3. James A.K. Shu	6-659
4. Paul Wolfe	6-106

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the January 24, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. **TAXICAB PERMIT HOLDER:**
   1. Eward Healy
   2. Imran Rehman
   3. Peter Witt
   4. Samson Tam
   5. Eric Cragin

RAMPED TAXICAB:
N/A

NEW COLOR SCHEME
1. Best Cab

2. **COLOR SCHEME CHANGE:**

Medallion Holder	Cab #	Change
1. Ralph Jacobson	1012	Yellow Cab to Arrow Cab
2. Joan R. Fisher	274	Veterans Cab to Arrow Cab
3. June Pitkoff	233	Veterans Cab to Arrow Cab ***(Request Withdrawn)***
4. Michele Favetti Sevilla	221	Veterans Cab to Arrow Cab ***(Request Withdrawn)***
5. Alec Kaplan	9062	DeSoto Cab to Luxor Cab

B. Consideration of the Taxi Commission to grant a time waiver or second time waiver to:
1. Michael Chow
2. Dan Pearce *(Second request-Does not have a current Public Passenger Vehicle Driver Permit)*
3. Kenneth Chan
4. Abdulhadi H. Yassin
5. Donald Templeton
6. Meseret Y. Mekonnen

C. Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. Shawn Amirehsani	6-283	16. James Nigan	6-260
2. Gavin Ames	6-342	17. Rolf Olsen	6-139
3. Ishtiaz Bokhari	5-243	18. Sonyan Pham	6-101
4. Dean Chou	6-293	19. Thomas Poon	6-285*
5. Lance Chou	6-296	20. Danny Poon	6-286*
6. Te Thomas Chou	6-294	21. Andre Reed	6-131
7. Lee Davis	6-124	22. Francis Shackelford	6-284
8. Richard Finn	6-287	23. Walter Smith	6-253
9. Delvis Frazier	6-331	24. William Snyder	6-240
10. Thomas Jamvold	6-317	25. Vincent Voisin	6-133
11. Robert Harrow	6-227	26. Frank Wong	6-055
12. William Ma	6-030	27. Gordon Wong	6-244
13. Edgard Medal	6-255	28. Charles Yourd	6-316
14. Stephen Mowry	6-332	29. Lev Zotman	6-140
15. Richard Ng	6-246		

*Applicant(s) has submitted a time waiver request-the request is on the Consent Calendar for January 10, 2006.

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

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Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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Taxicab Commission

January 10, 2006

MINUTES
Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
January 10, 2006
6:30 PM
Regular Meeting

PRESENT: Jackson; Breslin; Gillespie; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT ARTHUR JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Heidi Machen, Jaime Poblitz, Vicki Siu - Taxi Commission; Captain Thomas O'Neil, Inspector Farrell Suslow, Sergeant Vince Simpson

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1. PLEDGE OF ALLEGIANCE.

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE December 13, 2005 TAXICAB COMMISSION MEETING.

Commissioner Smith moved to approve the minutes. Commissioner Gillespie seconded the motion. Motion passed 6-0.

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

4. CONSENT CALENDAR.
4A Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver Permits:

Sadeq Algahaim	Mohammed N.	Vladimir	Suhil Babikir
Ventura Ballin	Ali	Artuyunyants	Fentahun W.
Ahmed K.	Igor Belov	Lucius Bingham	Biwota
Bourezzou	John Braswell	Nadia Cabezas	Kathleen Canright
Hoang Chung	Leonardo Cossio	Solemon T. Deaneke	Abbes Dennoun
Ademar I. A.	Araya	Dawit Ghebrit	Alexandre Guedes
Filho	Gebremedhin	Chart Harnyoot	Moon Ho Lim
Ja Gyi Maung	William Harjo	Chukwubuikem I.	Norhier R.
Zaw Htut	Denise Hunt	Iwuji	Keshishian

David Kyu	Sandeep Lal	Rolfe Louie	Alvin Luis
Artur Lyubelskiy	Enrique Magnoli	Vipassak	Jarrett A. Mason
Luiz Neto	Myoung Noah	Manoonsilpa	Genaro Paredes
Bryan Poli	Youssef Rhazi	Yelena Oleynik	Alexandre Santos
Melaku Sebhatu	Mohamed Sheikh	Pises Sanesa-Ard	Sarabjeet Singh
Sohan Singh	Kevin E. Spencer	Muhammad N.	Sisay H.Tariku
Delma Teles	Zaman Tohki	Siddiqui	Lander F. Xavier
		Nag Joong Sung	
		Howard Trinh	

No Public Comment

Commissioner Smith moved to approve 4A Commissioner Breslin seconded the motion. Motion passed 6-0.

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

4B Recommendation of the Taxi Commission for consideration of Color Scheme Change to:

Medallion Holder	Cab #	Change
1. Abbas Burt Saatsaz	1281	Town Taxi to YellowCab
2. Yolanda Cavaleri	153	RoyalCab to Union Cab (Request Withdrawn)
3. Giuseppe Carvelli	527	Royal Cab to Union Cab (Request Withdrawn)
4. Firouz E. Mahdavi	419	Regent Cab to Union Cab
5. Le Yen	1209	Luxor Cab to Union Cab
6. Faramarz Golshan	398	Arrow Cab to Union Cab
7. Aboulghassem Khan Malmirchegini	9052	Black &White to Union Cab (Continued from12/13/05)

Public Comment:

Robert Cesana: Believes Commission needs to solve the issue of workman's comp. before accepting any applications or transfers.
Dan Hines: Thought it was general public comment.
Thomas George Williams: Thought it would be interesting to see how much the Union Cab Company is paying under the table in regards to the color scheme change.

President Jackson: Inquired if everyone who is moving to a company, is a company who guarantees worker's comp?
Executive Director Machen: Assured that each company is guaranteeing workers comp. and on the particular medallions which are now listed on the certificate
Commissioner McGuire: How did they do that? What form?
Executive Director Machen: They have the medallions listed on the certificate
Commissioner Gillespie: Moved to recuse item 4B1

Commissioner Smith moved to approve Item 4B1. Commissioner Breslin seconded the motion. Motion passed 5-0

AYES: Jackson, Breslin, McGuire, Smith, Kwok

NOES: None
ABSENT: Paek
RECUSED: Gillespie

4B4-7 Commissioner Smith moved to approve. Commissioner Gillespie seconded the motion. Motion passed 6-0

AYES: Jackson, Breslin, McGuire, Smith, Gillespie, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

4C Recommendation of the Taxi Detail for consideration of Taxicab Medallion Holder Permit to:

Taxicab Permit Holder	Cab#	Color Scheme
1. Spanky Woods	561	National
2. Philip Anton	595	Regents

No Public Comment

Commissioner Smith moved to approve. Commissioner Gillespie seconded the motion. Motion passed 6-0

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

4D Recommendation of the Taxi Detail for consideration of Ramp Taxicab Medallion Permit to:

Ramped Taxicab	Cab#	Color Scheme
1. Casey Chan	9056	Fog City

Public Comment:
Mark Gruberg: Made comment on behalf of a friend whose name was passed over for someone else who name was lower than his on the list. He was not opposing the person being approved tonight but just wanted the Commission to be more aware and look into an investigation.

Commissioner Smith moved to approve Item 4D. Commissioner Kwok seconded the motion. Motion passed 6-0

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

4E Consideration of the Taxi Commission to grant a time waiver or second time waiver:
1. Thomas Poon (second request)
2. Danny Poon (second request)
3. Mortimer Joyce*
4. Mekonnen T. Areda

Public Comment:

Robert Cesana: Doesn't understand second time waiver, thought Commission resolved this issue. Taxi Detail is not accepting medallions down the line, only consideration should be for an ADA request.
Thomas George Williams: Second request for Thomas and Danny Poon makes no sense, as well as Mortimer Joyce.
Danny Poon: Laid off for the past few years also attended some schooling and has not found a new job. Wants to apply for a medallion under the old rules so he can be a full time taxi cab driver and fulfill driving hours for 2006.
Mekonnen Areda: Full time driver with yellow cab, and responded on time to acceptance letter. Since the meeting on Dec. 27th, 2005 was cancelled, he already finished his driving requirements for last year. Questioned whether or not his case is for 2005 or 2006.
President Jackson: (Addressed Mr. Areda) Asked if he completed 800 hours last year? If he needs a waiver?
Mekonnen Areda: Requesting for his case to be in 2005 and finish his processing for his medallion.
Executive Director Machen: Gave clarification on issue, Mr. Areda drove in 2005 for his required hours. Now it's 2006 he needs to drive for two years. If the Commission grants his time waiver he can accumulate his hours in 2006 which would bring him up to the two year requirement.
President Jackon: If he came to the Commission two weeks ago before the end of 2005 would he have needed a second waiver?
City Attorney Tom Owen: Not unless his medallion was issued in front the Commission. He needs a waiver since his name won't come up to the top of list till 2006.
President Jackson: Gives clarification to Commissioners, he drove 800 hours last year and if he received a medallion prior to Dec. 31st he would have received it, now the law has changed to two 800 hours, therefore he needs to drive another 800 hours.
Commissioner McGuire: Commented on he was not on the list and asked if he had received a packet.
City Attorney Tom Owen: The cancellation of the Dec. 27th meeting didn't change anything because he hadn't reached the top of the list.
President Jackson: It's an unfortunate situation but it's the way it is. But the previous year still counts.
Commissioner Smith: He is continuously working why does he need a waiver?
Executive Director Machen: Mr. Areda did not drive in 2004, had he driven in 2004 and 2005 he would have had accumulated two years, however now he is in a situation where he has one year in 2005 completed he still needs a second year to qualify for a medallion.

Commissioner Gillespie: Requests to speak with Thomas and Danny Poon, asked questions in regards of the lack of driving hours.

Commissioner Gillespie: Calls out Mortimer Joyce (no answer). Comments how this person came up at the last meeting and Commission requested the police department to contact him directly. Inquires if we made any contact with Mr. Joyce, since Commission would prefer to speak with him directly. Asks Inspector Farrell Suslow for more information, concerned Mr. Joyce has a disability issue involved.
Inspector Suslow: Mr. Joyce was sent a letter from the Taxi Detail and we contacted him for the medallion when his name came up. When he didn't respond and didn't have the right requirements we placed him on a list a few hearing ago to remove him. He then requested a time waiver through the Commission staff. He has not talk to him in the last few weeks.
Commissioner Gillespie: My instincts are to grant people a first time waiver but not grant them second time waivers, the two people here tonight that are requesting second time waivers seem like young healthy people to me who have been offered a medallion by the city for six years and never took any steps to meet the requirements to get it.
Commissioner Smith: Requests Thomas Poon for further questioning. Wants be clear

on the time he put in to driving a taxi cab.
Commissioner McGuire: The way I understand it you are not going to qualify for the medallion anyway so why are you applying for a time waiver when there is absolutely no way you going to ever be able to fulfill the driving requirement?
Thomas Poon: I wrote a letter to Miss. Machen asking her for her direction on what we need to do in order to perhaps come in front of the commission for consideration of granting us a time waiver so we can fulfill a time waiver in 2006.
Commissioner McGuire: So you want us to change our rules/policy so you can qualify. Because under our policy we have now under the Daly-Ma legislation I don't see how there is any way you can qualify. Basically you want special circumstances for yourself, because if we give you a time waiver you are not going to be able to fulfill the driving requirement so what you are really saying is you want us to change our policy for you?
Thomas Poon: Yes bottom line is yes.
Commissioner McGuire: That is all my questions.
Commissioner Breslin: Explained why the Commission is demanding more of individuals so that people who are driving are going to get their permits or medallions. Unless ADA issues or legal issues are involved, they should not be granting second time waivers.

4E4 Commissioner Smith moved to approve Item 4E4. Commissioner Gillespie seconded the motion. Motion passed 6-0

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

Commissioner Gillespie: Moves to continue 4E3 item to next meeting since Mr. Joyce does not currently have an A card.
Commissioner Smith: When is the last time he had an A Card?
Commissioner Gillespie: In 1990 he had the permit and in 1993 it was revoked for none payment. That the last indication he was a cab driver in 93', this is a case we haven't dealt with and that is why last week we requested he be contacted to come here.
City Attorney Tom Owen: Through the chair the resolution you adopted makes the first request pretty much mandatory.
President Jackson: Clarified if it is his first request.
Executive Director Machen: Though the chair it is his first request.
Commissioner Gillespie: I think it's a special case we are talking about somebody who hasn't been a taxi driver sine 1993. It's a ADA sort of issue for someone who is on the list and we are getting into new territory.
Commissioner Smith: He is also part of 4F1.
Commissioner Breslin: Do we have any conversation or contact with him?
Executive Director Machen: Through the chair our office has had some contact with him. Refers to resolution to what Commission passed, that the first time waiver is granted as a right unless the person has some sort of fraud attached to them.

4E3 continued to next Commission meeting.

4E2 Commissioner Gillespie moved to deny Item 4E2. Commissioner Breslin seconded the motion. Motion passed 6-0

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek

RECUSED: None

4E1 Commissioner Martin moved to deny Item 4E1. Commissioner Gillespie seconded the motion. Motion passed 6-0

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

4F Recommendation of Taxi Detail for consideration to remove applicants from the Taxicab/Ramp waiting list after notice attempts:

Applicant Name List #
1. Mortimer Joyce 6-195 (Continued from 12/13/05 Meeting pending decision on Time Waiver Request)

4F1 Continued to next Commission meeting.

Public Comment:
Robert Cesana: Expressed sympathy to someone who has an ADA requirement but it's the Commission policy that you submit any application or waiver in a timely manner. Asked Commission to put a time limit on these applications, rule should apply to everyone.
Barry Taranto: Thanked the Commission for taking the time to go through these requests. His concern with Mr. Mortimer is that he didn't even get a A card and hasn't had cancer for 12 years so why hasn't he come to meeting or send a representation. Needs to be added to rules.
Thomas George Williams: The name of all real cab drivers on the waiting list please take this deadbeat in front of us off the list.

4G. Consideration of the Taxi Commission to remove deceased applicant name(s) from the Taxicab/Ramp Medallion Waiting List:

Applicant Name	List #
1. Richard Graham	6-483
2. Dennis McCarthy	6-496
3. James A.K. Shu	6-659
4. Paul Wolfe	6-106

No Public Comment

Commissioner Smith moved to approve. Commissioner Kwok seconded the motion. Motion passed 6-0

AYES: Jackson, Breslin, Gillespie, McGuire, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

5. Staff Report [INFORMATION]
• Executive Director Heidi Machen: On December 14, 2005 Mayor Gavin Newsom held a press conference announcing more incentives for Compressed Natural Gas taxicabs and educational programs to increase the number of hybrids.
The Board of Appeal upheld the Taxicab Commission's decision in the case of Hayward Wong, a rehearing has been scheduled for January 18, 2006.

Legislation approved recently was Supervisor Elsbernd's illegal limousine legislation and Supervisor Alioto's legislation extending paratransit program subsidy collected from Taxicab Companies on a pro-rate basis.
Jaime Poblitz joined the Taxicab Commission staff
Mayor Newsom requested departments that can liberate themselves from being a General Fund Department to do so. This budget cycle, all permit holders fees have been levied, including health, planning, and all taxicab permits. They levied a flat $9.00 on all permit holders.
Hotel Nikko and St. Regis have paid for installing taxicab stands. Nikko with three stands and St. Regis expecting four spaces on Minna St. Thanks to Barry Taranto.
PG&E CNG Station @ 19th and Treat St. is out of service to a electric failure. Three other stations can be used instead: 425 Folsom, 2690 3rd Street, and 790 N. McDonald Rd.
Also participated in a SFPD investigation sting targeting illegal operating taxis in San Francisco. The Commission will be sending out letters to all Bay Area out-of-town taxi companies informing the fines and to stop this practice.
Announced calendar items from Commissioner McGuire and Commissioner Smith.

Public Comment:
Barry Taranto: Thanked Sergeant Simpson for his report which shows how prolific the situation is by the numbers and also shows the taxi detail needs more help in the enforcement because of the ongoing problems particular in the Sunset/Richmond District, with certain bars on Taraval and Clement Street. Customers are going to private cars and it's a continuous problem. Wished Inspector Simpson the best of luck in his retirement but staff should work to replace his position and others. Commented on the CNG Stations not having a guard on duty all the time which is wasting many drivers' valuable time. Thanked Hotel Niko and St. Regis for providing cab stands, still needs to work with Hotel Omni. Thanked the Executive Director for working on these issues.
Carl Roberto: Thank you Commissioner Smith for bringing the Daly-Ma Legislation to attention and there should be a hearing to discuss the policy. It is a big deal for people who wait on the list for 12 years and suddenly find themselves not eligible for a permit. Daly-Ma should apply to people who are already on the list on the effective date of the legislation and have corroborating opinions. Otherwise if the Commission takes a 100 people off the list under Daly-Ma Leg. and finds it's correct, it will cost millions of dollars. Discussed disability policy for applicants suggested a time waiver.
Thomas George Williams: Alioto legislation was postponed and it's time to influence the Supervisors to make them understand what we are paying for customers to transport them, and this only happens in San Francisco. CNG stations are a problem for example on the 17th, the First and Folsom station will be closed. We have only one or two stations in town, we need more in the city. Also raise mileage for CNG cars. And keep making arrests, keep going.

Commissioner Smith: One of the reasons I'm asking for more incentives to fuel vehicles for CNG is so drivers can save money. If we learn anything from these discussions, we should know that Yellow cab is building a CNG station to accommodate drivers and is also adding in more pumps. PG&E should be pushed harder as well to build more CNG stations.
Commissioner Kwok: Thinks the $1000 fine is too low, in the future we can raise it higher to send a stronger statement that they should stop doing that for taxis outside San Francisco.
President Jackson: We can certainly ask staff to look into that. Asked for clarification from Director Machen for the nine dollar charge and our goal to help departments not be general fund dependent. Confirmed the department is not general fund dependent.
Executive Director Machen: That is true
President Jackson: So the pubic should understand that, we are helping out to help all

general fund departments and to help our city but we are a department that runs on our own energy.
Commissioner Smith: Wanted to ask one more question about the nine dollars. My understanding is that the purpose of the extra nine dollars was to place extra police officers or staff for the taxi cab commission office.
Executive Director Machen This was a charge levied by the board of appeals in order to pay for there staffing. They have four permanent staff member and if they don't raise enough fees they don't generate enough fees from the charges they impose. They cannot pay there staff members and if they can't pay the staff they look to the general fund for additional money
Commissioner Smith: I understand that but I thought the extra money would help our office to help pay the bill.
President Jackson: No, good idea but not the fact.

6. Vehicle Standard Proposal [INFORMATION AND POSSIBLE ACTION]

Executive Director Machen: Introduced item, and explained the current vehicle standard rules that are in place.

Recommendations:

• No vehicle that is older than 8 model years shall serve as a taxicab. Would apply to all vehicles. Under current law allow up to seven years. However no vehicle shall be operated as taxi after the vehicle reaches 350,000 miles.
• Prior to reaching 200,000 miles each vehicle must past annual airport inspections. Vehicles that have reached 200,000 miles must past semi-annual airport inspections, this issue came up in the Safety hearing to inspect vehicles more frequently. Used New York City which has a vehicle fleet of 12,000, inspects each vehicle three times a year.
• Used vehicles must be inspected by GTU prior to being placed into service as a taxi cab. All vehicles shall be test driven during airport inspections to verify certain parts are functioning properly.
• GTU will all handle inspections and approvals. Taxi Commission could recommend alternate incentives for clean air taxis for example if SFO proceeds with a plan to charge for inspections we could recommend that they waive the fee for alternate fuel vehicles.

Executive Director Machen: After talking with the Head Mechanic at SFO and Ground Transportation Unit, I removed the road test portion of the recommendation because the airport had some concerns. Ground Transportation Unit welcomes the opportunity to approve or fail vehicles with clear guidelines provided by the Commission. Given that the Commission office is in no position to see the vehicle that is being inspected, GUI is in the best position to do these approvals. If vehicles are failed they are being failed for good reason for public safety. The number of cars that have been failed in 2004 are about 1/5 of vehicles. Another suggestion was taking out the starting mileage but after talking with the head mechanic having a starting mileage would be wise. Currently it is at 60,000 miles, commission can always increase that. Las Vegas has a 30,000 mileage cap for starting vehicles and New York City won't let any vehicles start with more that 500 miles. Concludes proposal.
President Jackson: Question is London cab excluded as purpose built taxis?
Executive Director Machen: London cab are purpose built vehicles.
President Jackson: So when you say all cabs expect purpose built so we are excluding London cabs.
Executive Director Machen: Yes including London taxis. No reason to justify allowing the London taxi or the purpose built vehicle to operate longer right now London can go seven years, the proposal would allow all vehicles to go for eight years. However, it would place the 350,000 mile cap which most vehicles reach before they reach the

eight year. But some might not. It would benefit single shift operators.

Public Comment:
Barry Taranto: Thanked the Commission staff for addressing this issue because there are differences between the fleet and long term lease vehicles. 350,000 miles is ludicrous because it reaches the cap at the beginning of the fifth year. Look into increasing the mileage to 30-40,000 and increasing inspections maybe every month. Inspections after 200,000 it should be 250,000, you reach the 250,000 cap after 2/12 years. Inspections not twice a year but every six months to clarify.
Thomas George Williams: A vehicle is like a person and you can't put an age limit on a person. Inspections help to make them safe. FTA inspects airplanes and they don't say how old they can be. CNG Deal is not good.
Charles Rathbone: Driven many miles over 30 years and drives an excellent cab. Commission should reaffirm commitment to vehicles built with expected life usage up to 500,000 miles, mistake to put a 350,000 mile cap. Has a fuel efficient and a clean engine taxi, it's a high maintenance vehicle but has an extended life to them but you should keep that incentive. There is another outfit called Standard Motors in Detroit that wants to build a domestic purpose built vehicle, it's expensive but a good car.
Robert Cesana: Level playing field needs to be for everyone. London cabs are supposed to have extended life and Commission should keep that promise however, keep in mind the only people who benefited are the advertising agencies.
Richard Hybels: Urged Commission to follow recommendations and suggested not being too concerned with initial mileage a car travels before it becomes a taxi.
Commissioner Gillespie: Proposing that we can't use a car that is more than eight model years old, so you can buy a car that was four years old when you first put it to service. In working out the economics could you talk about what it means to buy a four year old vehicle opposed to a three year old vehicle?
Richard Hybels: Bought a used 2003 police car vehicle for $11,000 but on eBay or craigslist a 2000 Ford Crown with 60,000 miles goes for $5,000.
Commissioner Gillespie: But a 2000 model would be six years old, you could only run it for two years. What's the difference between a three year old and four year old?
Richard Hybels: $3,000 dollars.
Commissioner Gillespie: That's a real decision you have to make to buy a 2003 or 2002?
Richard Hybels: Yes. Thank you.
Captain O'Neil: Gave background on information in regards to inspections. Previously Police Department did inspections of vehicles. In which they didn't charge but found out they were being used for diagnostics. Companies found out what was wrong and just fixed those things so then come back for another inspection. The Entire fleet would have to be reinspected about 60% and it became a problem.
Mark Soto: Represents Connext ATC and is the company that is responsible for the San Francisco Paratransit Program. In the past has come to the Commission with exception requests for ramp vehicles whose life had been spent but because of the timing for replacement vehicle they weren't able to replace them in a timely manner so extensions were requested. Asking for a meeting with the Commission Executive Director in case as situation for exemption comes up again in the future.
George Cabrera: Thought it was a good proposal and is an incentive in itself for cab drivers but should make an exemption for the London cabs and ramp taxis. Believes the 350,000 is enough even too much. If you don't want to keep cabs up to date turn in your medallions.
Dave Snider: New York City are trendsetters with their standards. Should be some standards on how cabs are used. Small vs. big companies should be different. 175,000 miles should be cut off mileage. Go through A card and send out survey on length of time for cabs. Democracy in action.
Nick Sweiz: Goes to auction to find cars and can't bid on a lot of cars because they are one year older that what the Commission requires. Supports the age of the vehicles.
Mark Gruberg: Would encourage single shift cabs, two sides to it. Too many hours or

provide a peak time fleet, out on the streets when busy offers some flexible that is not there in the current system. Not a fan of London cabs but some exemptions made or grandfathered in.
Nathan Dwiri: After three years the vehicle reaches a point of no return in maintaining it. Commission must consider safety of everyone and is concerned that regulations and inspections will just increase cost and time of people.

Commissioner Kwok: Believes in check and balance regarding inspections and doesn't know how we could do that. Open to raising the mileage, supports 6 month inspection which is accurate data for safety. Should have a range between 500 to 1000 starting miles and catch up to New York standards. In regards to the diesel vehicle system, he wants it to apply
inspections every four months and have the owner pay. In response to Thomas George Williams comment, when a person is aging it is harmful to his/her own health. When a vehicle is old enough it is dangerous and could be in an accident. Does not want to vote on it tonight needs more information. Would like to size and weight of vehicle, seeing an SUV as a taxi cab its too big for city streets should have different standard.

Commissioner McGuire: Would like to have random inspections, Los Angeles currently does have that as a standard. Opinion that there should not be any restriction on a model year as long as it meets the 60,000 year. London cabs were purchased for operation of seven years, should be grandfathered and keep to original rules for already purchased. Three inspections per year with random over 200,000 and two inspections between 100,000-102,000 miles. Also consider Mark Soto comments for ramp taxis. Question on spares how many miles, only 350,000 miles as well. Ok, just no restriction on model year as long as its 60,000 miles.

Commissioner Gillespie: His ideal for the taxi industry is Yellow Cab because they buy newer cars and he has never seen a car that was at 350,000 miles. Agrees that taxi drivers should buy new cars and use them for three years, but realizes that not everyone can do that and majority buy used cars. Asked to confirm with Director Machen to eliminate the starting mileage.
Executive Director Machen: Confirms to remove the road test portion with concerns of Ground Transportation at SFO having liability issues. Confirms to also remove no starting mileage, reason being to encourage the purchase of newer vehicles.
Commissioner Gillespie: Requested to see document with actual changes made. Agrees with the changes suggested by Director Machen. Also addressed the London cab program and would like to see the people who purchased those vehicles under the expectation that they can run them for seven years since there was no mile limit originally. Commission voted for it so they should have that right and then grandfather it in. Requested website for the Detroit people who are creating more cars for more information.
Commissioner Smith: Discussed the difficulties with London Cabs. Addressed Mr. Soto's extension on the ramp taxis since they receive more usage than regular vehicles. Referred to Los Angeles Yellow, with 750 cabs and do not purchase new vehicles only five year old, would like to see that since after four years they turn them over. Suggests going 100% to Hybrid vehicles, since only half the emissions are spilled out it would be safer for the air.
Commissioner Kwok: Clarifies comment on oversize vehicles, it's illegal to drive big vehicles on certain streets, suggested taking steps in looking to matter. Oversize vehicles damages city streets after time and is open for the hybrid vehicle with less pollution but does not want to vote on anything without more information.
Commissioner Breslin: Concerned with safety issues and brings up issue in dealing with inspections, believes that Commission must deal with customer satisfaction; the condition of the paint or interior, since San Francisco is in a competitive transportation business want taxis to be top notch and prime conditions.
Commissioner Smith: Agrees with Commissioner Kwok that San Francisco road are bad. You do not catch everything in one inspection and it takes a few to find damage.

At 60,000 miles a vehicle is just starting to be broken feels that should be the starting mileage but a 5 year old vehicle should be the limit.
Commissioner McGuire: Agrees with Commissioner Breslin and inquires if there is any way that the cabs can be inspected so that they are clean. Inspector should do spot check for interiors. Questioned about if there is a complaint on a vehicle by a driver do they have to bring it in? Or do they complain to Taxi Detail?
Sergeant Simpson: Clarifies that the Taxi Detail does receive complaints from driver's about the problems with the taxis they are driving. In the past have done inspections of whole color schemes of all the cabs. If it is a serious nature they would order the cab to be inspected by GTU.
Commissioner McGuire: If drivers do have complaints there should be a confidential higher authority to make complaints to other than the owner or company.
Sergeant Simpson: Understands why a taxi driver would be reluctant to come forward but hopes that they would bring the issue to the cab company and they could follow up. For a first time complaint they will contact the company, for a second time complaint they issue that particular cab out of service and have it inspected at GTU. Owners usually fix vehicles with a first time complaint.
Commissioner McGuire: Also comments on high volumes of fumes in the back of taxis and shocks that should be looked at. Will vote on it since it's better than what standards are in place now.
Commissioner Gillespie: Requests staff to put the language in proposal of the Commissioner's in a readable report. Adding in the 60,000 miles as a starting point and to grandfather in the current London Cabs and not future ones.
Executive Director Machen: Notes that this would extend the life of the London taxi for years and they would not have a cap for mileage.
President Jackson: Leave them at 7 years with no mileage cap. It's just the way it is and they would not get the eight years with regular inspections.
Commissioner McGuire: How many London cabs are currently operating?
Inspector Suslow: Last we heard it was 15.
President Jackson: Confirms with Executive Director Machen on the direction for changes in the proposal.

7. Review of Paratransit Legislation Introduced by Supervisor Peskin [INFORMATION AND POSSIBLE ACTION]

Executive Director Machen: Introduced item.

Public Comment:
Barry Taranto: Thought that companies would fight each other if Commission approves Peskin's Legislation. Should be discussion about the debit card contract and have the executive director set up an administrative hearing to the public.
Carl McMurdo: Regulation is direct reference to the contract that is subject to a federal investigation, suggests to table the matter until investigation in complete.
Jim Gillespie: Supports Carl's comments. Police code had inaccuracy in verbiage of police and the taxi commission feels that the change be with the Taxi Commission and not Executive Director.
Robert Cesana: Hold hearing on why Muni won't pay everyone who accepts scrip.
Thomas George Williams: The rule should simplify things and not be a pressure point from the paratransit onto taxi industry. Change should be from Chief of Police to Taxi Commission.
Mark Gruberg: Separate out the larger debit card issue and focus on the enforcement component.

Commissioner Smith: Thought Police Chief was out of all the paperwork and only Taxi Commission. Rules should be Taxi Commission and the Executive Director would pass that on. Needs to have hearing with our own RFP to MTA and get everyone opinion's and do the right thing for everyone evolved.

Commissioner Breslin: Uncomfortable about adding debit verbiage since debit card issue hasn't been settled until we allow everyone to utilize the debit program.
City Attorney Tom Owen: Clarifies that every company with a contract with paratransit script is reimbursed for their scrip. If they do not have a contract we do not contract business with them need to meet Muni requirements. All color schemes are in compliance if excused by size they are still in compliance even though they are not accepting script.
Commissioner Breslin: Agrees with general public that the Taxi Commission be given the authority to issue rules and regulations from the Chief of Police and not the Executive Director. Believes that we can't table this matter since the timeline is not the Commission's and must handle this whether it's a suggestion of changing or striking Clause C.
Commissioner Smith: Would like to put motion forward to change Executive Director to Taxi Commission.
Commissioner Gillespie: There are two issues and it's getting mixed up with debit card program. Expressed he would not like to vote on issues which might be taken as an endorsement of the current proposal of debit card issue.
President Jackson: Agrees with Commission that instead of Executive Director given authority to issue rules and regulations it will be the Taxi Commission and supports legislation with separating out the debit card portion.
Mark Soto: Works with everyone to try to make this work and has even made changes in the structure by reducing the number of medallions in the color schemes from 50 down to 30. Also has made exceptions on smaller color schemes that are up and coming that are trying to get participation. There are still a few today that do not participate because of insurance reasons.
Commissioner Gillespie: Would like to leave the paratransit issue of out it and endorse legislation with the one change of Section D to the Taxi Commission rather the Executive Director of the Taxi Commission.

Commissioner Gillespie: Motion to endorse the legislation with one change of the Executive Director to the Taxi Cab Commission
Commissioner Smith: Seconds the motion.
Motion passed 6-0
AYES: Jackson, Breslin, Gillespie, Smith, Kwok
NOES: None
ABSENT: Paek
RECUSED: None

8. Public Comment

Barry Taranto: Feels public comment should at an earlier time in the meeting because it's preventing drivers from working. Hotels need to be looked for providing town car service to guests and not taxi cabs.
Nathan Dwiri: Provided Commissioner's a packet of information in regarding health benefits for San Francisco taxicab drivers from the Controller's report in October 2003 and would like Commission review.
President Jackson: Noted that it could be an item on the agenda to allow for more discussion.
Spanky Woods: Thanked Commission for granting him his medallion. Many 20 year taxi drivers never put name on medallion list and should be entitled to it.
Dan Hines: Addressed debit card issue, feels that it cannot be supported because it's not in the interest of the industry.
President Jackson: Wished he had an answer for him for this difficult issue.
Robert Cesana: Noted on a New York Times article about Ford Escape's using alternative fuels instead of gasoline. We have 46 in our fleet and need to look into this alternative fuel matter.
Mark Gruberg: Spoke in reference to Nathan's comments on healthcare and suggested to call the Controller's office or to read the report.

Thomas George Williams: Spoke on the healthcare issue indicated taxi drivers have a right to it.
Jim Gillespie: Please read report on healthcare issue.
President Jackson: Noted that he has never seen report.
Ruach Graffis: Taxi cab drivers need healthcare.

10 ADJOURNMENT

Adjourned meeting at 9:30 p.m.

Respectfully submitted,

Jaime Poblitz
Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
1/24/06

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January 24, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the January 10, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Vehicle Standard Proposal [INFORMATION AND POSSIBLE ACTION]
6. Taxicab Advertising – DrivAd [INFORMATION AND POSSIBLE ACTION]
7. Consideration of the F06-07 Annual Taxicab Commission Budget [DISCUSSION AND POSSIBLE ACTION]
8. Variations to Prop K Driving Requirement [DISCUSSION AND POSSIBLE ACTION]
9. Staff Report [INFORMATION]
10. Public Comment (Please limit public comment to items not on the agenda).
11. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Mekonen Abrha	Daniel A. Admasu	Abdulaziz Alajji	Rafael A. Aviles
Jian Qiang Chen	John P.H. Fortuno	Nouar Gouasmia	Robert Guyton Jr.
Mohamad Hamze	Lin Min Htet	Aung Htoo	Bing Quan Hu
Mitchel Y. Hu	Jesse H.Huynh	Edward J. Jennings	Graham S. Jones
Oday S. Khaldi	Youssef Kiby	Vinod Kumar	Clarence Lalaind Jr.
Pedro I. Lima	Aung T. Lin	Chieh M. Lin	Pablo H. Melo
Shereen Mohammad	Linn H. Myo	Tiago L. Neves	Ashraf I. Qaqish
Muhammad Qasim	Surafel B. Sahlemariam	Sidney Shum	Jaswinder Singh
Tai Huu Tran	Gustavo Vieira	Wilson J. Villet	Kyaw Win
Ja Zaw			

B. Recommendation of the Taxi Commission for consideration of Color Scheme Change to:

Medallion Holder	Cab #	Change
1. Ralph Jacobson	1012	Yellow Cab to Arrow Cab
2. Joan R. Fisher	274	Veterans Cab to Arrow Cab
3. June Pitkoff	233	Veterans Cab to Arrow Cab ***(Request Withdrawn)***
4. Michele Favetti Sevilla	221	Veterans Cab to Arrow Cab ***(Request Withdrawn)***
5. Alec Kaplan	9062	DeSoto Cab to Luxor Cab

C. Recommendation of the Taxi Detail for consideration of Taxicab Medallion Holder Permit to:

Taxicab Permit Holder	Cab#	Color Scheme
1. Eward Healy	572	Luxor Cab
2. Imran Rehman	514	Yellow Cab
3. Peter Witt	310	Yellow Cab
4. Samson Tam	562	Regents Cab
5. Eric Cragin	327	Arrow Cab

D. Recommendation of the Taxi Detail for consideration of New Color Scheme:

Color Scheme	Medallion #
1. Best Cab	9060

E. Consideration of the Taxi Commission to grant a time waiver or second time waiver to:

1. Mortimer Joyce* *(Continued from 12/13/05 & 1/10/06 meeting)*
2. Michael Chow
3. Kenneth Chan
4. Abdulhadi H. Yassin
5. Donald Templeton
6. Meseret Y. Mekonnen

*Applicant name is up for consideration to be removed from the Taxicab/Ramp Medallion Waiting List-Item F.

F. Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion Waiting List:

Applicant Name	List #
1. Mortimer Joyce	6-195 *(Continued from 12/13/05 & 1/10/06 meeting)*

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G. Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. *Shawn Amirehsani*	*6-283**	16. James Nigan	6-260
2. Gavin Ames	6-342	17. Rolf Olsen	6-139
3. Ishtiaz Bokhari	5-243	18. Sonyan Pham	6-101
4. Dean Chou	6-293	19. Thomas Poon	6-285
5. Lance Chou	6-296	20. Danny Poon	6-286
6. Te Thomas Chou	6-294	21. Andre Reed	6-131
7. Lee Davis	6-124	22. Francis Shackelford	6-284
8. Richard Finn	6-287	23. Walter Smith	6-253
9. Delvis Frazier	6-331	24. William Snyder	6-240
10. Thomas Jamvold	6-317	25. Vincent Voisin	6-133
11. Robert Harrow	6-227	26. Frank Wong	6-055
12. William Ma	6-030	27. Gordon Wong	6-244
13. Edgard Medal	6-255	28. Charles Yourd	6-316
14. Stephen Mowry	6-332	29. Lev Zotman	6-140
15. Richard Ng	6-246		

*Applicant is on Notice Item B – Consideration of the Taxi Commission to grant a time wavier.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 14, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1A. TAXICAB PERMIT HOLDER	1B. RAMPED TAXICAB	1C. NEW COLOR SCHEME
1. Muhammad L. Alam	N/A	N/A

2. COLOR SCHEME CHANGE:

Medallion Holder	Cab #	Change

B. Consideration of the Taxi Commission to grant a time waiver to:
1. Michael Roach
2. Surinder Kumar
3. Shawn Amirehsani

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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Taxicab Commission

January 24, 2006

MINUTES
Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
January 24, 2006
6:30 PM
Regular Meeting

PRESENT: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
ABSENT: Kwok

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Heidi Machen, Vicky Siu - Taxi Commission; Captain Thomas O'Neil, Inspector Farrell Suslow, Sergeant Vince Simpson - Taxi Detail

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#2
1/24/06

1. PLEDGE OF ALLEGIANCE.

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE JANUARY 10, 2006 TAXICAB COMMISSION MEETING.
Commissioner Smith motioned to approve the minutes. Commissioner Gillespie seconded the motion. Motion passed 6-0

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

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PUBLIC COMMENT: No public comments.

4. APPROVAL OF THE CONSENT CALENDAR.

4A. Commissioner Smith motioned to approve 4A (Public Passenger Vehicle Driver Permit). Commissioner Gillespie seconded the motion. Motion passed 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

Approved Public Passenger Vehicle Driver Permits:

Mekonen Abrha	Aung Htoo	Pedro I. Lima	Sidney Shum
Daniel A. Admasu	Bing Quan Hu	Aung T. Lin	Jaswinder Singh

Abdulaziz Alajji	Mitchel Y. Hu	Chieh M. Lin	Tai Huu Tran
Rafael A. Aviles	Jesse H.Huynh	Pablo H. Melo	Gustavo Vieira
Jian Qiang Chen	Edward J. Jennings	Shereen Mohammad	Wilson J. Villet
John P.H. Fortuno	Graham S. Jones	Linn H. Myo	Kyaw Win
Nouar Gouasmia	Oday S. Khaldi	Tiago L. Neves	Ja Zaw
Robert Guyton Jr.	Youssef Kiby	Ashraf I. Qaqish	
Mohamad Hamze	Vinod Kumar	Muhammad Qasim	
Lin Min Htet	Clarence Lalaind Jr.	Surafel B. Sahlemariam	

PUBLIC COMMENT: No public comments.

4B1. Commissioner Smith motioned to approve 4B1 (Color Scheme Change for Ralph Jacobson). Vice President Breslin seconded the motion. Motion passes 5-0.

AYES: Jackson; Breslin; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: Gillespie

PUBLIC COMMENT: No public comments.

4B2&5. Commissioner Gillespie motions to approve 4B2 and 4B5 (Color Scheme Change for Joan R. Fisher and Alec Kaplan). Commissioner Smith seconded the motion. Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

Approved Color Scheme Changes:

Medallion Holder	Cab #	Change
1. Ralph Jacobson	1012	Yellow Cab to Arrow Cab
2. Joan R. Fisher	274	Veterans Cab to Arrow Cab
5. Alec Kaplan	9062	DeSoto Cab to Luxor Cab
3. June Pitkoff*	233	Veterans Cab to Arrow Cab
4. Michele Favetti Sevilla*	221	Veterans Cab to Arrow Cab

*Request Withdrawn

PUBLIC COMMENT: No public comments.

4C. Commissioner Smith motioned to approve 4C1, 4 & 5 (Consideration to grant a Taxicab Medallion Holder Permit). Commissioner Gillespie seconded the motion. Motion passed 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

Commissioner Smith motioned to approve 4C2 & 3 (Consideration to grant a Taxicab Medallion Holder Permit). Commissioner McGuire seconded. Motion passed 5-0.

AYES: Jackson; Breslin; McGuire; Paek; Smith

NOES: None
ABSENT: Kwok
RECUSED: Gillespie

PUBLIC COMMENT: No public comments.

Taxicab Permit Holder Permit granted to:

Taxicab Permit Holder	Cab#	Color Scheme
1. Edward Healy	572	Luxor Cab
2. Imran Rehman	514	Yellow Cab
3. Peter Witt	310	Yellow Cab
4. Samson Tam	562	Regents Cab
5. Eric Cragin	327	Arrow Cab

4D. Commissioner McGuire motions to approve 4D (Consideration of New Color Scheme: Best Cab) Commissioner Gillespie seconded. Motion passed 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

Approved New Color Scheme:

Color Scheme	Medallion #
1. Best Cab	9060

• Comm. Gillespie: Will it be just your cab in this company?
• L. Oha: Yes, currently and then another medallion holder will join me when this is approved.
• Gillespie: What radio dispatch will you use?
• L. Oha: City Wide.

PUBLIC COMMENT: No public comments.

4E. Commissioner Smith motions to continue 4E 1 and 6 (Consideration to grant a Time Waiver to Mortimer Joyce and Meseret Y. Mekonnen). Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

Commissioner Gillespie motions to approve 4E 2 thru 5 (Consideration to grant a Time Waiver). Commissioner Smith seconded the motion. Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

Time Waiver granted to:
2. Michael Chow
3. Kenneth Chan
4. Abdulhadi H. Yassin
5. Donald Templeton

Continuance granted to:
1. Mortimer Joyce
6. Meseret Y. Mekonnen

PUBLIC COMMENT:

• Comm. Smith: When was last time Mr. Mortimer Joyce drove?
• Mrs. Joyce, Mr. Mortimer Joyce's Wife: It's been several years. He's been with the fire department for 5 years. It was before then. His intention was to drive a cab then I got cancer. Now he's in treatment.
• Comm. Smith: Is he still working for fire department.
• Mrs. Joyce: He's on medical leave from the fire department.
• Comm. Gillespie: When did he start driving a taxi?
• Mrs. Joyce: He's driven a taxi on and off for 30 years.
• Comm. Gillespie: According to our records, his permit was revoked in 1993 for non-payment.
• Mrs. Joyce: I wasn't aware of that.
• Comm. Gillespie: If he's working for fire department, why would he want to get a taxi medallion?
• Mrs. Joyce: Because he was going to drive a taxi on his days off.
• Robert Cesana: Suggests tabling this discussion because further down on the agenda, you have a proposal to curtail disability for K medallion holders. You cannot possibly consider disability request for people on the list if you're going to deny disability to people who've already got medallions. It doesn't make any sense at all. I suggest we resolve the second issue first and then reconsider disability for people on the list.
• Abdulhadi Yassin: I started driving in Daly City in the fall of 1993. I drove and then leased cabs from Daly City (Cab #26) and Serra Cab (Cab #26). Those two Daly City companies serve the southern part of San Francisco, from the bay to the ocean, the Cow Palace, Crocker Amazon, Outer Mission, Ingleside, Ocean View, St. Francis Woods, Lakeside, Park Merced, deep Sunset, Twin Peaks and Stonestown. Around late 2000, the City offered to give me a Ramp Taxi Permit, however, I had to buy the van myself. The price was prohibitive and I didn't have any cash for the down payment so I couldn't accept the offer. I immediately started to drive part time for Muni and they wanted me to drive five days a week so I stopped driving a taxi. I ask you to grant me a medallion since I've served the San Francisco public for 27 years.
• Comm. McGuire: You're asking us to take your Muni driving time and apply it to your taxi driving requirement?
• A. Yassin: Since this is public transportation for hire and people pay to ride the bus that to me is similar to the cab. I'm doing the service.
• Comm. McGuire: I don't think we can do that because our rules say that you have to drive a taxicab. Are you able to drive now?
• A. Yassin: I can drive three days. I'm not able to drive 156 shifts.
• Tom Owen, City Attorney: Under the resolution that the Commission adopted, the first waiver is automatic.
• Comm. McGuire: Did you drive in 2005 at all?
• A. Yassin: I drove it from 2001 until September 11th. Not in 2005.
• Comm. Gillespie: The first waiver is automatic but for him to meet the driving requirement it's mathematically impossible. Sir you should stay with your Muni job.
• Murai: For people like myself who drive over the required shifts needed and yet people are here saying that if I were disabled they could jerk out from under us. Then we have people with City jobs with retirement and every kind of benefit are wanting a lot of accommodations. That's what gives a bad name to some of the people that are K medallion holders. I'm not saying they don't deserve it but there are a lot of people with other jobs and retirement that can give up their medallion.

• Smith: Asks Donald Templeton: When was the last time you drove cab?
• Donald Templeton: I'm driving now. I got out of the industry in 2002, 2003 and 2004. April 15th of this year, I got a letter from the City saying the driving requirement had changed and I was back behind the wheel within three weeks. I've got four pages of shifts from May of last year through today.
• Comm. Smith: You're requesting a waiver for 2006?
• D. Templeton: Yes, just a one time waiver. I'll have my 2006 shifts in within 2½ months.
• Comm. McGuire: Why aren't you getting the medallion now? Why are you asking for waiver?
• D. Templeton: I didn't know about this new driving requirement. I don't have any shifts in 2004. I've got all my 2005 shifts and I'm driving full time this year.
• Comm. Gillespie: On the memo we received it says that you don't have a driver permit
• D. Templeton: There's a mistake on that, when I went to apply for this, I told Mr. Bettencourt that I was out of the industry in 2002, 2003 and 2004. I've always had an A-Card. I've never had an A-Card revoked for non-payment.
• Comm. Gillespie: If there was an error then I'm willing to accept it and if you did drive in 2005 then mathematically you can meet the driving requirement.
• Roger Cardenas w/Bay Cab: Mr. Meseret Mekonnen is in the hospital so he would like to continue this.
• Pres. Jackson: He'd like for us to continue this to the next meeting? He doesn't have to be here for us to grant him a time waiver.
• R. Cardenas: I explained to him that if you did grant a time waiver, he would not be eligible until 2009. So he needs to talk to someone about this. He had an operation in 2004 and he drove less than the requirement and in 2005 he didn't drive enough shifts to qualify either. But he has been driving in the industry for about 30 years.
• Pres. Jackson: Commissioners, let's grant a continuance to number 1 and 6.
• Comm. Smith: Motions to grant a continuance to 1 and 6.
• Comm. Paek: Seconded
• Comm. Gillespie: I would like to motion to grant a time waiver to numbers 2 thru 5.
• Comm. Smith: Seconded.

4F. Commissioners motioned to continue 4F (Consideration of the Taxi Commission to remove applicant name(s), Mortimer Joyce, from the Taxicab/Ramp Medallion Waiting List). Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

PUBLIC COMMENTS: No public comments.

4G. Commissioner Gillespie motions to approve 4G (Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list and continue #1, Shawn Amirehsani). Commissioner McGuire seconded the motion. Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

Applicant Name(s) removed from the Medallion Waiting List:

*Continued until next meeting

PUBLIC COMMENTS: No public comments.

• Comm. Gillespie: Are these people who have died? Or are the people who have simply not replied to any notices?
• Dir. Machen: Yes, they just have not responded to the notice attempts and I need to point out that # 1, Shawn Amirehsani, list# 6-283, is on Notice Item B for consideration to be granted a time waiver. You may wish to continue that one until next meeting.
• Comm. Gillespie: I just want to make sure we're doing all we can to make sure we're contacting these people, what are we doing?
• Inspector Suslow, Taxi Detail: Each person has failed to respond. Many did respond but did not have A-Cards or any way of meeting the requirements and walked away without filing the application. So they have failed to respond and failed filing the application. Each person was sent multiple notifications and we always send the last one certified mail. We use every database to find alternative addresses. Each notice we give them 30 days to respond. Then their name goes on the list. We keep going on to keep finding eligible people and keep giving out the medallions.
• Comm. Gillespie: What percentage of the list is actually available?
• Insp. Suslow: That's going to change, I can't give you a number on that. As we go through different parts of the list, different groupings, we've been trying to clean up the list of people who have been on a time waiver for the last 5-7 years. We sent about 22 letters last Thursday and we had four people show up today asking for the packet and had their waybills. That shows that we're starting to get a higher response rate. Many say that they haven't been driving for the last 20 years and they ask if they should get an A-Card. When we tell them the process most of them just leave.
• Comm. Gillespie: Motions to remove names from the waiting list and continue #1.
• Comm. McGuire: Second.

5. VEHICLE STANDARD PROPOSAL
Commissioner Gillespie motions to approve 5 (Vehicle Standard Proposal). Commissioner McGuire seconded the motion. Motion passes 4-2.

AYES: Jackson; Gillespie; McGuire; Paek
NOES: Smith; Breslin
ABSENT: Kwok
RECUSED: None

• Heidi Machen, Exec. Dir.: This is an effort to streamline the rules and to give greater flexibility to people who are buying vehicles as well as give some clear rules that Ground Transportation Unit (GTU), at the airport, will be able to abide by and follow. The Taxi Commission office is separated from GTU and it makes most sense for the authority to be vested in them. The amendments were to remove the road test portion (at request of GTU), replaced the starting mileage to 60,000 miles and grandfathered in purpose built vehicles (that were put into operation before January 24, 2006) will still be able to operate under the lack of limitations set before. I spoke with Mark Soto, GM for Muni's Accessible Services Paratransit Contract, and he agrees but if there's a funding problem in the future with purchasing a vehicle, he hopes this Commission would consider doing a resolution at that time to make an exception for that vehicle.

PUBLIC COMMENT:

• Robert Cesana: Since in the past we have considered other purpose built vehicles for a longer time, I don't think that you should blanket exclude longer time periods if a new vehicle appears. You must keep an open mind that a new purpose built vehicle, should be considered for a longer time period, in order for it to be economically feasible.
• Stephen Reimers: I don't think we should concentrate on the year or mileage. A 1995 Crown Victoria is a very good car if it has a new engine, transmission, breaks and reupholstered. As long as the vehicle looks nice and safe, I think you should consider it.
• Richard Hybel: Once there were no vehicle regulations, you could buy one that was 20 years old and keep it on the road 20 years. But the cars got pretty ratty and we solved the problem by going about it the wrong way. The miles before the car becomes a cab is not the problem, it's the miles while it's a cab. 350,000 mile cap is fine, the car is pretty tired at that point, especially if you haven't kept up with them. I would urge you to pass this thing with one amendment, if we could get 70,000 miles that would lower the cost even more.
• Charles Rathbone: The high tech engines in the London cabs comply with the Euro-three emission standards which are far more stringent than the California standards. Presented a letter from former Commissioner Jack Barry regarding some tests done by Southern California firm. The Ford has a twenty-three time higher emission than the London vehicle. The Crown Victoria's carbon monoxide is more than 300 times higher. The only one where the London cab doesn't do so well is in the oxides of nitrogen. You don't smell gas when you pump gas into the London cabs. I hope you will reconsider and consider the extending the mileage on the London cabs.
• Barry Taranto: I'm concerned about the mileage issue. I'd rather look at putting CHP vehicle that only has freeway miles and has not had any accidents than put a car that had a serious accident with only 40,000 miles into service. A salvaged car always has problems. Once it's been badly damaged it's never the same. It's ludicrous to put a CNG car out and say we can have it for five years and now the car won't be allowed to go five years because it's going to reach the 350,000 mile limit very early. $40 savings from inspections is not a big deal, I'd rather keep the car longer by the fact that we've kept it in good shape. Also, PG&E is restricting hours. I found that a pump was broken, if you want to provide incentives, make sure we have other gas pumps to be able to fill up.
• Thomas George Williams: Barry and I share cab so I talk on the same topic. At time we purchased a CNG cab, we were promised extra year and there was no mileage limitation. We spent over $30,000 buying it new compared to a used car that we could buy for $11,000. Now you've taken your promise away and put a mileage limit. If you want to set a mileage limit, please grandfather those who bought new cars because we wouldn't do that again. That's against the Mayor's goal of 50% alternative fuel vehicles.
• Dave Schneider: Asked to defer voting on vehicle standards until the next meeting. The proposed standards don't make any significant changes. It seems the mileage is

unchanged on front end although there might be improvement of eliminating spares over four years of age. I'm also concerned on inspections. We should obtain additional information on the standards used by the big rent-a-car companies in obtaining their vehicles and the cut off point for disposing them. We know that one size doesn't fit all, since there are big cab companies and little ones, the standards should be more stringent for larger operations. How can cab companies exercise the highest degree of care as rent-a-car companies if they have loser standards?
• John Nakis: One thing that is important to extend the life of a vehicle, especially for the hybrids, is to recover the high cost of the hybrids and loss of revenues.

• Marshall Childs with UTW: I'm taxicab driver and driving an old cab is hazardous. Companies are going to extend this as far as they can. Incentive should be offered more on rate increases so taxicab companies can afford to buy new cars.
• Comm. Smith: I think, no vehicle that is older than five model years should be put into service, five years is long enough. 60,000 miles is fine and 350,000 miles is also fine.
• Comm. McGuire: Some old cars barely have 30,000 miles and they drive fine so I don't see why we can't use cars older than 5 years old.
• Comm. Gillespie: Motions to adopt the propose standards.
• Comm. McGuire: Seconded. How long can you use a spare cab?
• Director Machen: The proposed standards wouldn't have an exception for a spare vehicle. In some ways we're tightening up the standards by requiring more inspections to ensure the public safety concerns are met. We're relaxing the standards by going to the eight model years total. Today, the longest that a cab could serve is seven model years. The main intent is to simplify things, to give greater flexibility to company owners, to ensure public safety and to set clear guidelines that GTU can follow.
• Comm. Smith: Wants to hear Dan Borg's opinion on this. I would rather have five model year go into service rather than an eight model year car. Physically wouldn't a five year old vehicle be better?
• Dan Borg: The newer the vehicle, technically the better condition it's in. Eight years is the end of the road. We're trying to tighten standards to make a good, safe vehicle out on the streets.

6. TAXICAB ADVERTISING - DRIVAD
Commissioner McGuire motions to reject 6 (Taxi Advertising - DrivAd). Commissioner Gillespie seconded the motion. Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

• Jan Altman, DrivAd: We have large see-through banners that we put in the back window of a car to advertise. They're completely visible from the outside and are see-through from the inside. We're looking to expand advertising to taxicabs in Bay Area. This is a win-win for all. Advertisers get to advertise in a very unique, low-cost way and taxi companies get a residual income and still get to drive as usual and we get to serve the community. We wanted to present and get approval from the Commission. The banner withstands windshield wipers and car washes. Cabs make about $30-$100/cab/month.

PUBLIC COMMENT:

• Stephen Reimers: The advertising is controversial but the income is what we're looking at and if it can be done tastefully and safely, I think we should do it.
• Ed Healy: When I'm driving, I have to look out and I want to know what the driver

next to me is going to do. She didn't mention how you can see at night, she only mentioned day. As a driver I don't want anything to hinder my vision at all.
• Dave Schneider: Sometimes people need to look into cabs. If a cab driver had an emergency, I'd like the public to be able to see us. Enough is enough with the advertising.
• Unnamed Speaker: I think its good idea and it's already been practiced with Muni so I don't think it creates a problem.
• Unnamed Speaker: People who move the cars are the drivers. Will the drivers get a break in the gate fee for driving these cars with the ads?
• Thomas George-Williams: I stopped several times in front of the passenger or I waved and they couldn't see me. During the day or night time, it's important to be able to look through the window. I think we have enough advertising, I would like to see advertising-free cabs.
• Marshall Childs: Can the police see through the back window to see what's going on? This is a safety issue.
• Robert Cesana: In London, the drivers don't have rear view mirror looking into the back of the cab to give privacy to the people in the back of the cab. They also have a small rear view window and it's usually smoked. At sometime, the Taxi Commission should go into the question of what customers expect and what we should expect of taxicabs and then look into the advertising issue. The Commission should have a standard for the back of a taxicab and you haven't even got a standard for a vehicle.
• Abdulhadi Yassin: There's no way to compare a bus to a taxicab. The Muni drivers do not use the side or back windows, you cannot see anything from these windows. We use the side view mirrors. The limos have all dark windows, you can put the advertising on those cars and it won't bother them. I was held up twice but no one could see inside. To put something on the back window, if it blocks view of the driver or police, then they can't see what's going on. Safety first.
• Barry Taranto: We don't have dividers in back seat, we need to keep as much safety as possible. It's important that the views are not blocked. And if the top light is not working, passengers need to look inside to see if a passenger is inside. Maybe this will work for vans. Advertisers don't understand how the industry works. Drivers don't see a dime from this. Passengers don't want to deal with ads.
• Natasha Hunter: As a female passenger, I want people to see inside if I'm accosted.
• J. Altman: Visibility at night is fine. It operates like a mild sunshade.
• Sgt. Simpson: We believe this is a public safety issue. In 1998 when the rules were adopted, Taxi Rule 5C9 prevents any additional tinting or reflective materials to go on taxicab and that was based on safety. This will limit our ability to see inside the cars. We recommend this not be approved based on the public safety issues that we see.
• Comm. Gillespie: Enough if enough, we've had ads everywhere and when you start blocking windows, that's where we have to draw the line.
• Comm. Paek: Advertisement can be harmful to your health. Safety is one thing, financial gain, if that's the issue, I think our Commissioners may need a master plan on advertisement issues and how to deal with this so we don't have to waste our time on this in the future.
• Vice Pres. Breslin: I do agree with Commissioner Paek that we need a plan. We have a PC&N hearing coming up, I recommend asking what customers want.
• Comm. McGuire: Motions to reject the proposal.
• Comm. Gillespie: I second.

7 CONSIDERATION OF THE F06-07 ANNUAL TAXICAB COMMISSION BUDGET
Commissioner Gillespie motions to continue 7 (F06-07 Annual Taxicab Commission Budget).

• T. Bettencourt, Sr. Administrative Analyst, Taxi Commission: Gave brief summary of the 2006-2007 budget. We have slight change. There is a slight increase in the maximum salaries that are allowed under the budget to accommodate cost of living

adjustment. The major item is number eighty-one (81) which includes our relationships with other City departments and the services they offer us.

PUBLIC COMMENT:

• Thomas George-Williams: I missed the position for the Taxi Commission investigator or limo investigator. Can you explain the money from the general fund of the Police Department? I don't understand this.
• Barry Taranto: I think you should give some feedback and ponder it and you have until the end of February to get it into the Mayor's office. I'm concerned about the Police budget. A lot of the administrative stuff should be handled by the TXC but make sure you have full enforcement staff because you need officers with expertise in dealing with ground transportation. The general police officers aren't familiar with this. I disagree with the OT enforcement fund of $66,000. You should hire an investigator that has parking officer powers to issue citations and handle the civil part of enforcement actions.
• Mark Gruberg: There has been meticulous attention to the budget which I think is good and responsible. However, you should add a position for investigators to deal with limos and illegal taxis. We've been requesting this for a while. There's money available. There's a surplus of $140,000 and some may be a carry over but there is money available. It's unanimous that drivers will pay more on their A-Card fee to hire for this position.
• Dir. Machen: There is a vacant position, the Principal Clerk position. As things go along, we will see if we need to fill it.
• Comm. McGuire: Is it possible to hire the limo inspector in your department with DPT enforcement powers instead of having the clerk position?
• Dir. Machen: Clarified that the OT was used for the illegal limo fund. The Police are being funded by this enforcement fund. The inspections are happening in the Police department-where you see the $66,000 enforcement fund, that money is going to officers, who are fresh faces out on the streets, who go out in plain clothes and are able to bust illegally operating taxicabs. The Taxi Detail is training these officers in the taxi laws and hopes that even when they're not on a 'sting operation', they will continue enforcement on the streets.
• Comm. McGuire: What guarantee is there that TXC will have officers to do this all the time?
• Dir. Machen: We have a work order (Memorandum of Understanding-MOU) and we've been handing over more than a third of our budget to the Police. This is first year our department has had a MOU between our department and the Police Department. The 2006-07 MOU hasn't been written up yet. I want to see how this goes first and if the Police are able to meet their deadlines or if they will need more time.
• Pres. Jackson: The Director and I met with the Police Chief and discussed the MOU.
• Dir. Machen: Chief Fong has been very hands on and very helpful.
• Comm. Smith: I don't like losing the Inspector position. I see that limos are doubling everywhere.
• Vice Pres. Breslin: Safety and enforcement are key goals going forward. I did expect a lot of administrative duties were being passed to the Commission staff but not in lieu of losing a position at the Taxi Detail. I would like to see the MOU to clarify which duties are passed to which department.
• Pres. Jackson: Is the consensus that you'd like more time with this and direct questions to the director?
• Dir. Machen: The amendments which you received tonight, had you decided to move forward with this budget, you would have needed to motion to approve the changes. A couple of other changes have happened since the packet has gone out to the public after speaking with Chief Fong. Inspector Suslow can explain.
• Insp. Suslow: In a conversation between Director Machen, Chief Fong and myself, the second clerk in our office has been restored, it was taken out in error. The

original budget that we prepared had half an Inspector and half a Police Officer to give the Chief flexibility over the next year. As of now, we don't have availability to fill it. If someone becomes available, she could put them in that position. We have people that are not part of the Taxi Detail coming in working with us.
• Comm. Gillespie: I request that we continue this and resubmit the budget with the changes.

8 VARIATIONS TO PROP K DRIVING REQUIREMENT
President Jackson moves to continue 8 (Variations to Prop K Driving Requirement) until the next meeting.

• Pres. Jackson: Commissioner McGuire has recused herself on this item.
• Director Machen: Gave overview of this item. The opinion from City Attorney Tom Owen is that our hands are tied. In 2002, this Commission set up the procedures by which someone could apply for this exception however, you did not adopt a policy. The City Attorney's office says that since driving is an essential eligibility requirement, you can only offer the 90 day/year exemption to the driving requirement. This resolution tonight goes beyond that and at the Commissions will, we will try to push the boundaries. (See Resolution for full details.)

PUBLIC COMMENT:

• Barry Taranto: Thanked the Executive Director for bringing this issue forward. Wants to know where the 120 days came from. There needs to be a clear distinction of duties between the Commission Staff and how the Health Department will be involved. Also, are we entitled to know which permit holders have asked and received or been denied these exemptions? The catastrophic illness of 5 years recovery is the best part of all this. I hope you can approve this tonight but get more clarification from the Commission office about the Health Department's involvement and I'd like to know if they are on board with this procedure go forward.
• Robert Cesana: When the Daly/Ma legislation took place, there were a number of disputes regarding fines and ADA. Your representative at that time, Naomi Little, was directed to negotiate with us by Supervisor Peskin. This was going to put fines on all medallion holders who did not comply with the requirement to drive. The basic agreement was that the TXC would not pursue genuine cases, they would be referred to Dr. Katz and the TXC would pursue fraudulent cases. This is a lack of confidence in the previous Director.
• Stephen Reimers: Thanked the Director and the Attorney. This is well thought out and a doable and workable solution. A lot of work and fairness has been put in, however, we need to look at changing Prop K which allows people who do have disabilities to go underground and hide their disability.
• Ed Healy: Prop K seems distorted. It was passed to provide service to the City of San Francisco but it was also to reward working drivers who were in this business. I just got my medallion so you're telling me that if I get into an accident, I'm done with my medallion after 120 days or 1 year? Where is the reward part of it? For 27 years people who are disabled have been getting more than 90 days. You're reducing it as far as I can see. There should be another way to move the list along. Are there really a lot of disabled people on this list?
• Charles Rathbone: Please be alert that the matter before you is not about criminals, it's about hard working medallion holders that have become disabled. A few years ago, you and your predecessors settled on an ADA policy. This new initiative would replace your own policy. The new rules would set stark limits on disabled medallion holders. It's a cruel way to end a career as a San Francisco cab driver. I hope you will reject this matter.
• Jim Gillespie: Prop K is almost 30 years old and is in need of a makeover. This Commission has done its best to make adjustments. Regarding the past Executive Director, Naomi Little, set up a procedure in 2002 incorporating the assistance of Dr.

Katz. In conversation with the Mayor's Office this past week, on public policy, we were informed that the meeting for January 25th was rescheduled for February to discuss revisions to the cab industry. This would address exit strategies for the older or disabled medallion holders. Why is there a rush on this? We've been considering people with true disabilities and we never said that they didn't have to drive at again. They have to be checked our regularly with medical procedures. You're telling someone if you don't drive, we're going to pull your medallion. I recommend continuing this item.

• Murai: I want to congratulate the Taxi Commission for passing Daly/Ma. It's starting to work, the list is moving. The people who are getting medallions are actually serious cab drivers. At this point it seems bazaar to suddenly penalize these people. It seems premature to vote on this when those who are getting medallions don't know what's happening. We need dignity for people who have driven 30+ years.

• Joseph Fleischman: The arguments are all legal and speculative. The legal questions involved are complex ones. No one will know if this will hold up in ADA court. Try to imagine you're a disabled permit holder who has driven for most of your life and that the disability impacts on safe driving. Imagine also that the disability is less than obvious and would only be known if you were to divulge it. If this passes, you'd face dismal choice. You divulge your disability and lose your income or hide it and take risks. If this proposal passes, disabled permit holders will face that choice.

• Mark Gruberg: We're hearing a lot about what happens to permit holders if something catastrophic should happen to them but not other drivers. The alternative is what amounts to a lifetime pension for them, paid for by working drivers who don't have medallions and who would be prevented from getting a medallion owing to the fact that there are many people who won't give them up until they die. This is not a coherent, fair or humane policy. There is no fair alternative but to pass this or something very close to it. By putting this in place, you'll be clarifying and defining a policy from which we can move on-finding ways of protecting all drivers. We have more elderly drivers subject to illness who do not have medallions. We need policy for all of them. UTW has some ideas and we welcome other ideas, let's move on to that stage.

• Comm. Smith: Do you have people working for you? Don't you make money off of the working drivers then?

• M. Gruberg: No I do not make money off of the workers, the money goes to expenses of the cab.

• Norma Geer: There's a big turnover of cab drivers but those of us who have stayed the longest have worked hard and signed up because we thought we had a future there. Hundreds of drivers on the list are middle aged or older and they don't have any idea what's in store for them. They think they're going to have a measure of security. You're going to destabilize the whole industry.

• Carl Macmurdo: You say that the driving requirement is continuance driving and I think that its continuance operation. This is public safety problem. People will hide their disabilities. Section 2 about Prop K is poorly stated. This Commission should do something proactive rather than negative and come up with a fulfillment policy. Aaron Peskin did ask Naomi to broker a deal where we support the fines in exchange for not having the disabled people gone after.

• Michael Spain: I think the role Dr. Katz plays is important and shouldn't be diminished. The EER is constantly mentioned as if it was valid I believe it to be invalid. I don't think what you're going to do tonight is going to validate what is going to be decided by other parties. ADA wasn't in the books when Prop K was passed. Courts have always looked at EER as something that without being able to perform it, you could not complete the program. Just because you have created an EER that uses the word program, doesn't mean that the EER as you define it, is valid. You should not move forward with this action. This gives the City more leverage to carry out a political agenda.

• Thomas George-Williams: Twenty-Eight years after Prop K passed, its becoming alive again. This proposal is closing a loophole and opening a way to deal with an issue. We totally support this. We would have like to see it be stricter but this is

supportable. It gives a way to deal with disabled medallion holders and honorable way. If there is hope that they can ever drive again, they can get it. There's a way to get back into business, if you cannot drive, finally the voter gets honored and the list is moving on. Please support it.

• Anne McVeigh: Reads Prop K footnotes and Section 2B. I think we need some hierarchy of law. There is a higher law of equitable treatment of people who have been career drivers operating under a system because a lot of activists changed the rules. Then there was an appellant review which says Section 2A and the driving could not be linked. Then Owen says that it was an operation. Instead of operation, driving was substituted for the word. With that, the EER got passed. The EER had no validity. That was the first time when I saw that this was a lawless Commission. No vote should be taken until a discussion is made on a fulfillment policy which goes towards transferability. The way this was presented was a disrespect of the hard work of this body.

• Liz Bradley, Yellow Cab: All I've ever heard is that there is a certain family that has eight medallions and don't drive. Its all hearsay but we know there's something to this. When I started driving, I needed money-that's your main motivation. I signed a contract with Yellow Cab saying I'd show up 365 days without days off. There's no guarantee I'll get a car. Finally I signed a contract to secure my position with the same car same shifts, I haven't missed a day. Prop K interferes with health insurance by supporting people who can't drive.

• David Pillpell: My understanding is that the driving requirement is sort of a fundamental tenet of Prop K. You should find way within ADA and within reasonable accommodation to allow people to deal with their illness but those who cannot drive for extended time should have to forfeit their permit either permanently or temporarily for that time period for which they cannot drive. There should be a way so that fundamentally those who hold the permits and medallions are drivers.

• Ruach Graffis: This problem keeps coming back. It's not Prop K that's the problem, it's the lack of enforcement for twenty-five years that gave people the idea that a permit was an income for life but it's not. Please pass this resolution so we can move on and work on getting disability and retirement for everyone in the industry because we need it.

• Comm. Gillespie: We've had many discussions about this, I commend our City Attorney and our staff for doing the work on this. I've heard a lot of talk about picking on older or disabled people but people haven't come up with an alternative to that. Prop N was rejected by the voters 72-28. The people are clear about this. These are not retirement pensions for cab drivers. Our staff needs some guidelines and three years is a reasonable time to be on an accommodation. A year after a catastrophic accident is a good thing and gives people a lot of time when something bad happens so they will recover and go back to driving. I support this and hope we pass it.

• Vice Pres. Breslin: I also commend the work put into this. I'm concerned that there isn't elasticity. People are human. If Dr. Katz says someone could drive in a year and 2 months, I would feel as though I couldn't take away a medallion in those cases. I was interested to hear that the Mayor is looking at exit strategies. I want to flip it and get it more worked out. I do agree that we talked about continuance driving as an essential eligibility requirement. I believed we were talking about it not in terms specifically for Prop K but how it could apply to ADA that could work into Prop K. I recommend not passing this tonight. We should look at what the Mayor is thinking about.

• Comm. Smith: I talked to Dr. Katz, he's doing fine job. He wasn't giving out accommodations that were extreme and said he'd continue doing them if we wished. I'd like to continue this and study it more and try and satisfy everybody. I couldn't vote for it tonight.

• Comm. Paek: It's disturbing to see this issue keep coming back. This is a time that we need to make a difference for everyone. I respect and believe our staff's hard work. It's easy to fall into some kind of sympathy and such a thing as permanent benefit. Is there anything called permanent benefit? There's a time to move on and

a time to be cautious about it. I suggest that we should consider this so our staff can move on.
• Pres. Jackson: Let me give an overview as someone who's not a cab driver or an active participant in the industry but a person who's lived the American's with Disabilities Act. Without it, I wouldn't be sitting on this Commission. I think ADA should be given to every worker who has a disability from which they can recover. The key of this resolution is recoverability. If you read the ADA, it is geared to an accommodation for those who'll recover and continue to do their job. It is not, nor was it intended to be, a retirement program. If you're permanently disabled, you would get state disability for the rest of your life. This Commission needs to understand between an ADA accommodation and the argument about a driving requirement. Cab drivers, unfortunately, are supposed to drive cabs. I don't think we can allow someone who's not going to drive to get an annual ADA when we know that they're not going to drive again. ADA is not a retirement it's an accommodation.
• Comm. Gillespie: I'm trying to understand what part of this resolution Commissioner Breslin is uncomfortable with. This has been the law for many years. We need to have these guidelines in place so our staff can move forward. Discussions about Prop K have been going on for 20 years and we can't keep using that excuse. It's not fair for people continuously getting accommodations while others wait for medallion who really want to be cab drivers.
• Pres. Jackson: There needs to be a standard so our staff can facilitate some of these things.
• Comm. Smith: When I talked to Dr. Katz, he said he hasn't been giving yearly accommodations. Sometimes he gives a three month or six month but they're not all yearly.
• Dir. Machen: To answers Vice President Breslin's questions: What's wrong with our current policy and what if someone has 14 months of catastrophic illness, do they lose out because of this policy? To answer the first question, there is no policy today. The lack of policy from the perspective of staff undermines the public confidence that we are upholding a law. I, as staff, don't want to figure out who has a genuine request as apposed to a fraudulent one. That was the purpose of this, to have a policy in place that is fairly applied to everyone. As for your second question, after 12 months, the driver will always have the 90 days included under Prop K. This resolution was intended to go beyond the 90 days. This resolution would allow an exception of a full year for a catastrophic illness and in addition it allows for 120 days, rather than 90 days leave, per year for a capped amount of three years.
• Vice Pres. Breslin: I would like to sit on this so I can review it and have some well thought out amendments to it. I would like to talk to Dr. Katz and find out how many ADA accommodations he has received and reviewed.
• Dir. Machen: Just to clarify that the procedure the Taxi Commission adopted is that the ADA request goes to the Taxi Commission. The coordinator may then confer with Commission staff, the City Attorney's office or other appropriate City personnel regarding modification. If its medical question, it gets passed on to health department.
• Vice Pres. Breslin: So the health department does not see each ADA request?
• Dir. Machen: Yes, there are also appeal rights included. They can appeal to the Mayor's Office of Disability.
• Comm. Smith: Not everything goes to Dr. Katz, that's a problem.
• Dir. Machen: The person applying for ADA has to have their doctor fill out a form that they turn into our office. If there's a medical question regarding their application, we then go to the health department to clarify or ask the driver to go to the health department.
• T. Bettencourt: There are 150 people with accommodations and twenty more applications on my desk. The accommodations are given for up to a year and they're required to resubmit annually. There are no multiple year accommodations, however, there are several repeat no driving annual accommodations.
• Comm. Gillespie: I motion to approve the resolution.
• Comm. Paek: Second.

Commissioner Gillespie: Yes; Commissioner Paek: Yes; Vice President Breslin: No; President Jackson: Yes; Commissioner Smith: No, Commissioner McGuire: Recused
• Dir. Machen: Motion fails 3 yes - 2 no
• Pres. Jackson: We will continue this item until next meeting.

9 STAFF REPORT

• Dir. Machen: Gave a brief summary of the staff report. This is Inspector Suslow's last meeting. Thank you to Inspector Farrell Suslow for all the hard work you've put in. Supervisor Fiona Ma introduced legislation, based on the Controller's report, she's recommending a meter increase and new gate cap be set as well as lease fees.
• Items to calendar: Commissioner McGuire requested a letter be sent to DPT asking to replace the standard taxi zone signs with standard taxi tow away signs. Commissioner Smith requested a letter to DPT to ask how they are doing putting the cab stands in at BART stations. He also asked to calendar a meeting to discuss procedures applying for medallion-changing from one to another and a meeting to discuss the new Controller's report of the summary of the financial statistics for taxicab operating companies.

PUBLIC COMMENT: No public comments.

10 PUBLIC COMMENT

• Sgt. Simpson: I want to acknowledge Inspector Suslow's service in the Police Department for 35 years and 20 years in the permit section-Taxi Detail. I had no administrative experience but with Farrell's knowledge, he helped assist me in getting knowledge in how the industry works.
• Liz Bradley: Last time, I spoke about gas subsidies what happened to that? Gas is still $2.50/gallon. The bell captain is trying to pre arranged limo rides with visitors. Thanks for putting a cab stand on Castro and 18th.
• Robert Cesana: I wish the Commission can change the way it brought items up to be fated. It's not fair to only get a couple hours notice. We're not even getting enough copies on the table.
• Pres. Jackson: I promise there will be more notice on major items in the future.
• Steve Reimes: The City needs to concentrate on issues that are enforceable. Things like this disability issue cause people to go underground and not declare their disabilities. Let's have a knowledge test to ensure that people are moving up the list in order.
• Marshall Childs: A taxi stand was knocked down a few months ago on Stockton and Sutter. People don't know not to park there.
• Mark Gruberg: There were statements and implications made on the Controller's report, from last meeting, that didn't say whether health care plans for taxi drivers were or were not feasible. Therefore, a later report from the Controller said the gate should have rolled back may not have any validity. The Controller said providing health care is possible but comes with a cost.
• Jim Gillespie: The requirement of forms (worker's compensation, registration and insurance card) to make color scheme changes now isn't right. The person cannot get insurance, work compensation or registration before the change is done. We would like to see this refined by the Commission. There should be a delay in insurance requirement.
• Dave Schneider: On September 28th the Director sent letter to Supervisor Peskin regarding a surcharge, what happened to that? Are there any scheduling dates for the PC&N hearing? Does anyone have details on Supervisor Ma's proposed meter? Does it include a gate increase?

• Mike: If the Commission is going to discuss items having to do with ADA, you should at least notify the 150 individuals who will be affected.

• Anne McVeigh: I'm heartened that President Jackson is guaranteeing a two week notice for major items. Prop N was a double negative. Double negative propositions have hardly ever passed. The way this was presented and the rush to pass it shows too much bias on the part of the secretary and an ADA resolution representative. I think they should both step down.
• Charles Rathbone: I am alarmed that Commissioner McGuire cannot vote on matters regarding medallions. She's the Labor Representative and I'm Labor. Some of the things coming up can affect my personal safety. The Labor Representative has every right to weigh in on these issues on behalf of all members of Labor.
• Murai: We need better education and we need more transparency. After spending 30 years in the business, you'd like to think that you had at least as much security as a Police horse or dog. I hope that I would at least be treated that way and the people on the list would know what they're expected to do when they get their medallion.
• Norma Geer: I think drivers are unaware of what's in store for them. People have no idea what's on the line. This is very ageist, the young and the strong will be right at the top.
• Thomas George-Williams: I ask you to forget all the public comments they were items on already discussed on the agenda. They're not appropriate for Public Comment. The Alioto Bill got sent back to committee and did not pass. We would like to see that $1.50 goes towards the health care plan. Any drivers who need health care should show up and ask them to do that. Regarding the hotel situation, we still have a problem. You need to commit to enforce the new law that the Mayor will hopefully sign. We need to push DPT to enforce the white zone.
• David Pillpell: I understand public comment is at the end of the meeting and it might inconvenience some members of the public. Some Commissions have two public comments-one at the beginning and one at the end. Since there is an agenda packet and attachments, I believe the agenda is supposed to refer to those attachments and I don't know if you've done that in the past but that would be something to include on the cover sheet. Also, I understand the agenda packets were available in limited numbers, I've encouraged other Commissions to have a binder, which says "Public Review Copy", on the public table. You might also include relevant admin. codes and other laws that pertain to the Commission.
• Comm. Gillespie: I also want to thank Inspector Suslow for all his hard work.
• Pres. Jackson: We had a speaker who read from the letter he passed out. He said he was driving a Daly City cab and a Serra cab serving San Francisco from the Bay to the ocean. We are never going to conquer the out of town cabs when they have the gall to present to the Commission in writing that they illegally serve San Francisco. I'm amazed none of the advocates of the community said a single thing. This is absurd.
• Dir. Machen: I've sent a letter out to Daly City Cab telling them they are not allowed to dispatch cabs to San Francisco and that there are high fines and penalties in doing so.
• Vice Pres. Breslin: Adjourns meeting and thanks Inspector Suslow for his service to the Commission and the entire industry.

11 ADJOURNMENT

Adjourned meeting at 10:15pm.

Respectfully submitted,

Vicky Siu
Principal Clerk

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

SF
T23
#1
2/14/06

TAXICAB COMMISSION AGENDA
REGULAR MEETING

February 14, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the January 24, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Public Convenience and Necessity [INFORMATION AND POSSIBLE ACTION]
6. Consideration of the F06-07 Annual Taxicab Commission Budget [DISCUSSION AND POSSIBLE ACTION]
7. Public Comment (Please limit public comment to items not on the agenda).
8. Staff Report [INFORMATION]
9. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Elwaleid A. Abdelfatah	Audrey D. Fountain	Jor B. Rai
Samsom T. Abraha	Endashaw M. Gulma	Carol Richards
Gilbert A. Agudelo	Mesfin G. Hagos	Taju J. Seman
Mohamed Ahmed	Antonio A. Herico	Ban A. Shin
Jeres Hanna J. Alayoub	Richard L. Jones Jr.	Tenzin Sonam
Mulualem F. Alula	Lahpri Lahtaw	Khalil A. Soos
William S. Benau	Muliawan Latief	Jeff Sue
Vincent A. Benson	Thura Lwin	Hendrick K. Tay
Ermiyas G. Beraki	Felipe A. Majia-Diaz	Aung K. Thant
Zied B. Bhiri	Walid Masri	Maurice Tilmon
Hoang M. Cao	Mirza H. Mehdi	Konstantin A.Tolstov
Cecil S. Chu	Daniel M. Melo	Richard J. Tovo
Joao Cravo-Filho	Mohamed S. Mohamed	Steve S. Tsai
Achraf Debbour	Faraz Mujeeb	Romans Valajevs
Markham Dickey	Fernando B. Noschang	Darren H. Vondedrick
Ricardo M. Dos Santos	Kyaw S. Oo	Khin M. Win
Axeddine Ejjed	Karam S. Pooni	Mulugeta Woldemichael
Jasper I.Espiritu	Luke S. Powell	Si. Chun Wu

B. Recommendation of the Taxi Detail for consideration of Taxicab Medallion Holder Permit to:

Taxicab Permit Holder	Cab #	Change
1. Muhammad L. Alam	356	Yellow Cab Co-op

C. Consideration of the Taxi Commission to grant a time waiver to:
1. Michael Roach
2. Surinder Kumar
3. Shawn Amirehsani*

** Considered in Item D for removal from list.*

D. Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Shawn Amirehsani	6-283

E. Request from Applicant for Consideration of the Taxi Commission to remove his name from the Taxicab/Ramp Medallion Waiting List:

Applicant Name	List #
1. Daniel Y. Harris	8-041

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 28, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. **COLOR SCHEME CHANGE:**

Medallion Holder	Cab #	Change
1. Louis Nmezie	9046	Royal to Best Cab
2. George Lancia	846	National to Sunset Cab*
3. Cuong Hung Tran	1251	Luxor to SF American Taxicab
4. Markos M. Tafesse	642	Arrow Cab to Desoto Cab
5. Elias B. Negash	9069	Comfort Cab to Desoto Cab
6. Abdulbaki Gudu	9012	Comfort Cab to Desoto Cab
7. Daryoush Amirehsani	378	Luxor Cab to Union Cab
8. Robert John Westermeyer	680	National Cab to Union Cab
9. Bader Saleh Erikat	1286	Crown Cab to Union Cab
8. Anthony Tran	1065	Regent Cab to Yellow Cab
9. Dominic Xavier Rodriguez	484	Luxor Cab to Yellow Cab

**postponed from December 13, 2005*

B. Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from Sunset Dispatch to CityWide Dispatch.

C. Recommendation of the Taxi Detail for consideration of Taxicab Medallion Holder Permit to:

Taxicab Permit Holder
1. Bieu Quach
2. Feroze Aly Charania
3. James P. Mangan
4. Traiko D. Traikov
5. Jimmie G. Diala
6. Jack S. Hoey

D. Removal of deceased applicant name(s) from the Taxicab/Ramp Medallion waiting list:

Applicant Name	List #
1. Sylvester Primes	6-466
2. Zareh Soghikian	6-393

E. Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. Raoul Alarcon	6-068	6. Michael Kagan	6-094
2. Mohammad Ashtianipour	6-264	7. Pierre Lee	6-037
3. Ollie Baylis	6-156	8. Dan Pearce	6-112
4. Timothy Brown	6-104	9. James Saporito	6-108
5. Scott Hopkins	6-028		

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

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ATTENTION SAN FRANCISCO RESIDENTS:

DO YOU THINK SAN FRANCISCO SHOULD HAVE MORE TAXI CABS ON THE STREETS???

DO YOU THINK THERE ARE ENOUGH TAXIS IN SAN FRANCISCO ALREADY???

THE SAN FRANCISCO TAXI COMMISSION

Will be conducting the **2006 Public Convenience and Necessity Hearing** to determine the issuance of taxicab permits.

Tuesday, February 14, 2006 at 6:30 p.m.
Valentine's Day
City Hall
1 Dr. Carlton B. Goodlett Place
Commission Chambers Room 400

COME TELL US WHAT YOU THINK!

If you have any questions, please call (415) 503-2185. If you cannot attend and testify in person, we will accept written comments
PLEASE SEND THEM BY FEBRUARY 7, 2006 TO:

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Taxicab Commission

February 14, 2006

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
February 14, 2006
6:30 PM
Regular Meeting

PRESENT: Jackson; Breslin; Gillespie; McGuire; Paek; Smith; Kwok

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM
STAFF IN ATTENDANCE: Tristan Bettencourt, Jaime Poblitz - Taxi Commission; Sergeant Vince Simpson - Taxi Detail

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL – The Roll Call showed a quorum was present.**
3. **APPROVAL OF THE MINUTES FOR THE JANUARY 24, 2006 TAXICAB COMMISSION MEETING.**Commissioner Smith motioned to approve the minutes. Commissioner Breslin seconded the motion. Motion passed 4-0

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AYES: Jackson; Breslin; McGuire; Smith **NOES:** None
ABSENT: Kwok; Paek, Gillespie **RECUSED:** None

PUBLIC COMMENT:

- **Carl Macmurdo**: Complimented the staff on the wonderful job they do on the minutes. Commented on Item 8 from the last Commission Hearing on accommodations for ADA requests. Viewed a document in Nov. 3, 2005 for an applicant who was given a modification, but had his pre-permitting driving requirements cut in half because of an accident. This indicated that the staff without the knowledge of the Commission is giving out accommodations, believes it should be done through the Commission with public input. His impression is only medallion holders get accommodations.
- **President Jackson**: Gives clarification to Mr. Macmurdo and explains the discussion pertaining to medallion holders and the accommodation was about holding on to the medallions, and that other people do get accommodations. He didn't mean imply they didn't.
- **Barry Taranto:** Staff in attendance should reflect staff that is present in the meeting. Public Comment should only be for what's in the minutes and not about policy. It's against the Commission to allow a new discussion during the minutes.

- **Commissioner Breslin**: Appreciates Mr. Taranto's comments but he is not specific to the minutes and it is better served under public comment.
- **Barry Taranto**: We are focusing on the conversation on the minutes, not extrapolating on items in the minutes.
- **Commission Breslin**: I see your point. Thank you.
- **Peter Witt:** Minutes need to be revised to reflect the facts as they are and not manipulate them for whatever reason. Corrections should be made accordingly.

4. APPROVAL OF THE CONSENT CALENDAR.

4A. Commissioner Smith motioned to approve 4A (Public Passenger Vehicle Driver Permit). Commissioner Breslin seconded the motion. Motion passed 4-0.

AYES: Jackson; Breslin; McGuire; Smith
NOES: None
ABSENT: Paek, Kwok, Gillespie
RECUSED: None

Approved Public Passenger Vehicle Driver Permits:

Elwaleid A. Abdelfatah	Audrey D. Fountain	Jor B. Rai
Samsom T. Abraha	Endashaw M. Gulma	Carol Richards
Gilbert A. Agudelo	Mesfin G. Hagos	Taju J. Seman
Mohamed Ahmed	Antonio A. Herico	Ban A. Shin
Jeres Hanna J. Alayoub	Richard L. Jones Jr.	Tenzin Sonam
Mulualem F. Alula	Lahpri Lahtaw	Khalil A. Soos
William S. Benau	Muliawan Latief	Jeff Sue
Vincent A. Benson	Thura Lwin	Hendrick K. Tay
Ermiyas G. Beraki	Felipe A. Majia-Diaz	Aung K. Thant
Zied B. Bhiri	Walid Masri	Maurice Tilmon
Hoang M. Cao	Mirza H. Mehdi	Konstantin A.Tolstov
Cecil S. Chu	Daniel M. Melo	Richard J. Tovo
Joao Cravo-Filho	Mohamed S. Mohamed	Steve S. Tsai
Achraf Debbour	Faraz Mujeeb	Romans Valajevs
Markham Dickey	Fernando B. Noschang	Darren H. Vondedrick
Ricardo M. Dos Santos	Kyaw S. Oo	Khin M. Win
Axeddine Ejjed	Karam S. Pooni	Mulugeta Woldemichael
Jasper I.Espiritu	Luke S. Powell	Si. Chun Wu

PUBLIC COMMENT: No public comments.

4B. Commissioner Smith motioned to approve 4B (Consideration of Taxicab Medallion Holder Permit to Muhammad L. Alam). Vice President Breslin seconded the motion. Motion passes 5-0.

AYES: Jackson; Breslin; McGuire; Paek; Smith
NOES: None

ABSENT: Kwok, Gillespie
RECUSED: None

PUBLIC COMMENT: No public comments.

4C.1&2. Commissioner Smith motions to approve 4C1 and 4C2 (Consideration to grant a time waiver to Michael Roach & Surinder Kumar). Commissioner Breslin seconded the motion. Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; Paek; McGuire, Smith
NOES: None
ABSENT: Kwok
RECUSED: None

PUBLIC COMMENT:

- **Robert Cesana:** Requests Commission to consider when getting a request for a time waiver to send out a letter pointing out that a time waiver doesn't guarantee a permit in the future.
- **Commissioner McGuire:** Questions Mr. Kumar about his driving history and list placement. Believes his situation should be investigated.
- **Sergeant Simpson**: Confirms Mr. Kumar's history; he first applied for a medallion in 1993 but due to a clerical error his name was not on the medallion list he was then added in 2001. He was placed in position based on his receipt number where his position was and he still was not eligible for a regular medallion at that time. He was eligible for a ramp taxi medallion in 2003 and declined, position has not changed.

4C. 3. Commissioner Gillespie motioned to continue 4C3 (Consideration to grant a time waiver to Shawn Amirehsani). Commissioner Smith seconded the motion. Motion passed 5-1.

AYES: Jackson; Breslin; Gillespie; Paek; Smith
NOES: McGuire
ABSENT: Kwok
RECUSED: None

PUBLIC COMMENT:

- **Barry Taranto:** Feels that this is a serious situation since the applicants' brother made the request, he doesn't have an A-card, and he is not present at the hearing. Commission needs to re-look at the policies pertaining to this matter.

4D. Commissioner Gillespie motions to continue item 4D (Consideration of removal applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to "Final Notice" per Municipal Police Code Section 1080(c)(2) for Shawn Amireshani) Commissioner Breslin seconded. Motion passed 4-2.

AYES: Breslin; Gillespie; Paek; Smith
NOES: McGuire, Jackson
ABSENT: Kwok
RECUSED: None

PUBLIC COMMENT:

- **Thomas George Williams:** Suggests that since the Commission granted Mr. Amireshani a time waiver they can remove him from the waiting list.

4E. Commissioner Gillespie motions to approve item 4E (Request from Applicant for removal of name from the Taxicab/Ramp Medallion Waiting List for Daniel Y. Harris). Commissioner Smith seconded the motion. Motion passes 6-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith
NOES: None
ABSENT: Kwok
RECUSED: None

PUBLIC COMMENT: No public comments.

5. PUBLIC CONVENIENCE AND NESSECITY (PC&N)

Item postponed till next Commission Hearing on Tuesday February 28, 2006.

PUBLIC COMMENT:

- **Robert Cesana:** Would like to see more cabs in San Francisco but the city doesn't have good faith in anything it says or does. We have a wonderful guy in Dept. of Parking of Traffic promising to enforce all white zones but he doesn't do it. We have also been promised more spaces at Moscone Center and the Ballpark. Inquired about incentives of putting more taxis on the street.
- **Commission Gillespie:** Explains to public that they may speak on the matter tonight if they are not going to make it next weeks meeting.
- **President Jackson:** If you speak tonight on PC&N you will not be able to speak on it next week.
- **Tariq Mehmood:** Yellow Cab driver for six years and serves the outer part of San Francisco. Believes more cabs would not solve the problem to the whole city.
- **Peter Witt:** Questions who determines what is an adequate number of cabs and touches upon the amount of no-shows of cabs using a projection survey chart.
- **Mick Miller:** Aware of shortage of cabs in the evening but because of illegal limos during the day they are stealing business away.
- **Dave Schneider:** Rather than adding more cabs Commission should do a study to investigate independent centralized GPS dispatch systems. Suggests an idea of a taxi phone line, 1-800-Taxi, and nearest available cab or company will be dispatched similar to 911.
- **George Lancia:** Decides to wait till next hearing to speak on PC&N.

6. CONSIDERATION OF THE F06-07 ANNUAL TAXICAB COMMISSION BUDGET

Commissioner McGuire motions to approve item 6 (F06-07 Commission Budget) with one amendment that the Police Department will fill the inspector position if they are able. Commissioner Gillespie seconded the motion. Motion passes 7-0.

AYES: Jackson; Breslin; Gillespie; McGuire; Paek; Smith, Kwok
NOES: None
ABSENT: None
RECUSED: None

- **Tristan Bettencourt:** Gave updated information in regards to the taxi detail budget item. Under the new MOU, which we are presently operating under it will require the police to supply us with the information such as a more clear accounting monthly of hours works, specific expenditures, use of extra funds, the $66,000 overtime and additional office fund. The plan now is to get regular reporting to bring forward to the Commission. Director Machen anticipates having the same reporting in the 2006 budget. Noted on line item changes that were made and integrated into the budget document.

PUBLIC COMMENT:

- **Barry Taranto**: Concerned with the budget of needing more staff to deal with important issues. Officer Nevin's former position should be filled or have a separate investigator at the Commission working with Dept. of Parking and Traffic to issue tickets and parking fines also to coordinate with the PUC. Hotels continue to allow this to happen. Doesn't agree with the 3,000 for a party.
- **Robert Cesana:** Reminded Commission of money left over from last year. Civilian ticket writer needed or someone to who can enforce these limousines.
- **Mark Gruberg:** Suggested idea of having an investigator dedicated to enforcement of illegal limos and out of town cabs. Commission has hired Mr. Brodnax whose duties are along these lines but it's going to take a more intensive focus and effort to bring the limousines in line. Noted on the budget leaving out the previous position of police inspector and half position for a police officer. If you put the two positions together almost 3000 hours of work that is not being done but and can be part of the budget. Put the police to work in solving this problem.
- **Carl Macmurdo:** Over the years the Taxi Detail has done an outstanding job and to the greatest extent possible I would like to see them keep all positions open.
- **Thomas George Williams:** Asked Commission to hire a civilian investigator regarding the limo problem. This is the time to put it in the budget; taxi drivers will even offer to pay more on the A-card. We need to

be protected from the limo industry since there are over 800 limos stealing our fares.

- **Jim Gillespie:** In reviewing the budget I support the replacement of the Q2 position and a badged qualified police officer to enforce illegal taxis and limos. I attended in Boston the National Taxi meeting and police officers in Atlanta are very evolved in patrol and enforcement of illegal taxis and weren't part of the detail. This is something we should think about it.
- **President Jackson:** Inquires how much would it cost per A-card to fund another person?
- **Jim Gillespie:** We would need to find out how much would a police officer be including benefits and also how many A-cards are issued. Possibly five dollars.
- **President Jackson:** It's a good question to think about.
- **Anne McVeigh:** Comments on the taxicab medallion holder's business license fee, according to the City of San Francisco a permit holder is a business holder. Believes the Commission's salaries are much too high and requests an explanation.
- **Adel:** If we double the A-card fees for every year for all drivers I have a feeling that the drivers will agree. If we have a donation box for the drivers they can donate for police enforcement.
- **President Jackson:** We can't run a business on a donation box but I think it would be appropriate.
- **Peter Witt:** We stand united on this issue that illegal limousines are a problem, it happens everyday in the same locations and hotels.
- **Frank Fahey:** Feels the reason that limos went into the illegal business was because of the economy crashing although feels the economy is coming back which might take some of the pressure off. He is not advocating not having enforcing on limos but feels the industry might be changing. Taxi Commission should advocate for more taxis with the planning operations to new dwellings being built in coordination with the Transportation Authority.
- **Commissioner Smith:** Inquires if an RFP presented with the MOU to the police department.
- **Tristan Bettencourt:** No there is no RFP when contracting with the City agency. Request for a proposal would allow other entities an opportunity to compete for the same business.
- **Commissioner Smith:** Are we eliminating Inspector Suslow's position, correct?
- **Tristan Bettencourt**: Yes that appears to be the case in the current budget. That is the only position being eliminated and we are planning to staff at which the current vacant position is the Q2 police officer position. In the previous version we had planned to eliminate on of the Clerk's position but it turns out it is correct in our Budget so we keep that in.
- **Commissioner Smith**: Is their any way we can keep Inspector Suslow's position open until we get somebody to fill it?
- **President Jackson**: We got to this Budget through negotiation between the Director, Chief of Police, and myself. The Chief does not want to fill this position they have a 700 man shortage.
- **Commissioner Smith**: Understands about the shortage but the Chief is

not paying for this officer, the Commission is.

- **President Jackson**: The Chief of Police needs to provide the officer.
- **Commissioner Smith**: We should leave this position open just in case down the line we can get someone to fulfill that position and possible two more positions. Explained how shuttles are taking away more business from taxicabs making the overall problem worse.
- **Tristan Bettencourt**: When we reconfigure the taxi detail, more officer time will be available within the detail to go out and train officers in the field and at various stations. New training materials are being developed currently which will allow many more officers to know what is going on.
- **President Jackson**: Our staff will be taking more clerical responsibility of the Taxi Detail.
- **Commissioner Smith**: Expressed his concerns for more officers on the street.
- **Commissioner McGuire**: Inquires if through the MOU the Commission has a work order with the Police Department to work on the limo problem
- **Tristan Bellencourt**: The MOU relates to funding for the positions which exist in the Taxi Detail presently it doesn't specify new police officers being added to it or it doesn't stipulate specific functions that will be done but it does allow us to give a little more direction to the Detail for long term planning.
- **Commissioner McGuire**: My understanding from the last meeting was that we had a work order and the Detail is suppose to supply us with officers to go out and do stings. We are paying into the general fund, correct?
- **President Jackson**: We are directly paying the Police Department.
- **Tristan Bettencourt**: Line item titled overtime enforcement fund which is a flexible spending fund at $66,000 which allows the Taxi Detail at their digression to enlist the assistance of extra people or fresh faces.
- **Commissioner McGuire**: How far does $66,000 go, how much time and work?
- **Sergeant Simpson**: We are hoping to get anywhere from 3-4 enforcement operations per month. Average time is between 4-8 hours sometimes 10 hours on the weekends.
- **Commissioner McGuire**: Why is a limo inspector not included in the budget?
- **President Jackson**: You can pass or propose the additional funds to the budget but it doesn't guarantee that Chief Fong will have anyone to do the job as inspector.
- **Commissioner McGuire**: The public has been requesting to hire someone in our department that has the DPT power to issue violations. Is there a reason it's not included in the budget?
- **Tristan Bettencourt**: I think that's a question that is to complex for me to answer.
- **President Jackson**: I don't know that an unbadged person can stop people in the midst of a crime. I think it's a challenge to have a staff person to do that.
- **Commissioner Breslin**: I agree it's a challenge for an unbadged person to approach the public however I support keeping a line open for this only because I feel its much harder to go after funding once the budget has been passed then it is to access a line item. If the money is not used it will roll

over to the following year so to have it available for access is wise. I support an investigator because I do believe it will help to reduce the number of illegal cabs and illegal limos.

- **Commissioner Gillespie**: I feel the MOU is a step forward because it requires accountability reports that have never been there before. We have five people with a badge on the detail and we will get this work done.
- **Commissioner Kwok:** I am in support of keeping the position open. Do we have any figures in the budget if we raised the A-card would it go to one or two positions, how many covered?
- **Commissioner Jackson:** That is hard thing to tell you right now staff can get that information to you.
- **Commissioner Kwok:** Great that's ok. Do we have to vote on this tonight, are we feeling comfortable about this? Do we need more information? Should we hold this position or hire from outside if it's cheaper.
- **President Jackson:** I can answer those questions; yes it would be appropriate to vote on the budget tonight since it is a time sensitive matter. Commissioner Gillespie was indicating that he would think the police choice is better than an outside person hired by us and I agree with Commissioner Gillespie. We can pass the budget and put in an additional person with the five already in the Budget but I can't guarantee that the police will fulfill that amount of money but we can put it in.
- **Commissioner Gillespie:** I feel that we have enough positions; a sergeant, an investigator, and three officers. One of those officer positions is vacant, correct?
- **Sergeant Simpson:** There is no one currently fulfilling that inspector's position but it is in the 2006-07 Budget. When this MOU was first drafted inspector Suslow was still working at the Taxi Detail and that was part of the 2005-06 Budget but it was part of the attrition that he was due to retire in February. With the new budget there are four positions in the Cab detail; 1 sergeant, 2 Q4's (police officers) and a Q2 (lower level police officer). Difference between Q2 and Q4 is longevity, officers with 10 or more years in. The Q2 position is unfilled currently.
- **President Jackson:** Commissioners we could add another position and see what happens.
- **Commissioner Kwok:** Asks Sergeant Simpson is their any requirements for a citizen to make a citizen arrests pertaining to illegal limousines?
- **Sergeant Simpson:** As far as limousines are concerned if a citizen wants to make an arrest of an unlawful citizen they may do so, an officer would have to take that citizens arrest based on element of crime whether or not that individual would be citied or arrested. We do not encourage drivers to take matter in their own hands and to please report information.
- **President Jackson:** We do not want citizen arrests or confrontations. What we would like from the police is a discussion with our Director and Chief Fong for a better responsive time and faster action to calls reporting illegal activity from the Detail.
- **Tristan Bettencourt:** In relation to the availability of officers in the budget, by directing our newest employee Jack Brodnax to specifically do a lot of the work that is presently done by the taxi detail we are freeing up a complete officer in the process.
- **Commissioner Smith:** I think we should use that officer in the street. I

would like to make a motion to approve this budget but keep the inspector position open.

- **Commissioner Breslin:** I would like to second that.
- **President Jackson:** With the understanding that the police force has no obligation to fill that.
- **Tristan Bettencourt:** The motion is to approve the budget with the stipulation that we retain the inspector position and keep it funded to the extent that the budget permits.
- **President Jackson:** Additional not committing the police department to fill the position if they are unable.
- **Commissioner Breslin:** I would like to make a friendly amendment to make it a little more positive with the understanding that the police will fill the inspector position if they are able to, rather than saying they are not.
- **President Jackson:** Correct. I am certainly in favor of filling the position; I'm just not going to commit the Chief.
- **Tristan Bettencourt:** Due to the fiscal cycle the next time we will be able to raise the fees for the driver's permits is January of next year since we have already committed to a certain fee structure for the A-cards this year and most of the drivers have paid it.
- **President Jackson:** Requests roll call.
- **Tristan Bettencourt:** Commissioner Smith: Yes; Commissioner Paek: Yes; Commissioner McGuire: Yes; Commissioner Kwok: Yes; Commissioner Gillespie: Yes; Vice President Breslin: Yes; President Jackson : Yes.
- **Tristan Bettencourt:** We have a unanimous 7-0 vote.

7. PUBLIC COMMENT

- **Dave Schneider:** Suggests an alternative method for the GTU to perform road side testing which is in the best interest of the public.
- **Barry Taranto:** Feels speakers should be given three minutes since there aren't many speakers. Asked for the resignation of Commissioner Breslin due to conflict of interest working for the hospitality industry. Met with DPT staff last week and PCO's need to be looked at into enforcing white zone.
- **Robert Cesana:** Requested the Commission not bring forward the modification of the ADA requirements until further information is looked into with the previous Executive Director and the President of the Board of Supervisors. Certain agreements were made during the time of the Daly Ma legislation.
- **Peter Witt:** Presented chart and reported on illegal limousine activity to Commission.
- **Tariq Mehmood:** Gave suggestion on process of medallion waiting list, feels drivers are waiting to long.
- **Thomas George William**: Suggests visiting www.utw.us.com to see the updated medallion holder list. Informed Commission of DPT protest and meeting with DPT.
- **Christopher Fulkerson:** Informed Commission of errors made by the SFPD in the issuance of ramp taxi driver's medallions. Due to the errors

he should receive his medallion now.

- **Mark Gruberg:** Gave report of an incident at the Omni Hotel with a doorman putting unwilling hotel guests into limousines instead of taxicabs.
- **Commissioner Breslin:** Assured Mr. Gruberg that the information will be passed along to the general manager of the Onmi Hotel and would like to know the name of the doorman.
- **Steve Kay:** Recently notified that he was up for a medallion but because he hasn't driven in the past few years he does not qualify. Because of his terminal illness he is unable to drive and would like the Commission to waive his requirements and place the medallion in his name at Luxor Cab Company and have the proceeds donated the Leukemia and Lymphoma Society of America, San Francisco Branch.
- **Commissioner Smith:** Inquired into Mr. Kay's driving time.
- **Steve Kay:** I was a fulltime driver until 1997, then started a limo company and owned Mr. Limousine in San Francisco and I drove public transportation for 12 years in the city and all the time maintained my A-card. When I found out about the rules changing I was in a hospice.
- **Wale Raji:** Confused about Ramp Taxi list since he was number eight and was informed yesterday the list was cancelled and he is now at number 531on the list.
- **Ruach Graffis:** Feels Public Comment should be in the beginning of the meeting and not at the end, referred to Steve Kay's testimony since he had to wait the entire meeting to speak.
- **Carl Macmurdo:** Congratulated Tristan Bettencourt on doing a great job in covering the meeting. Spoke on the resolution proposed at last meeting on the Essential Eligibility Requirements that was going to be used as foundation to set time limits for ADA protections for older and disables permit holders. Feels this item should not appear any time soon.
- **Anne McVeigh:** Believes Commissioner Breslin's request for resignation was outrageous. Inquired how Tristan Bettencourt received his job with Taxi Commission.
- **Robert Vitcha:** Gave report from Yellow Cab Computer Dispatch Operation from passengers requesting taxicabs from major hotels. Hotel employees are telling guests to call their own taxis early in the morning.

8. STAFF REPORT

- **Tristan Bettencourt:** Gave a brief summary of the staff report on behalf of Executive Director Machen. Director Machen appeared at the Board of Appeals on February 8th in the matter of Hayward Wong's requests for a re-hearing of his suspension. Board of Appeals unanimously rejected Mr. Wong's request for a re-hearing. The suspension goes into affect March 1st.
- Items to calendar: Commissioner Smith requested to calendar a hearing to establish a formal ADA accommodation policy for waiting list applicants and to amend the February 26, 2002 document titled processing a Request under the American with Disabilities Act for Modification of a Permit Requirement. Part II and Part III need amendment so as to specify

that the director of health will make all year to year medical accommodations determinations relative to permit holder's applications. Commissioner McGuire requests a discussion and possible action regarding the financial structure of the long term lease. She suggests the Commission look into the following: a report on how much each company charges for a monthly lease, a review of recent price increases at the various companies. How do these prices equate to what companies charge for gate and gas cabs. In determining these equivalents, we should consider: Insurance, both workers compensation and liability… are they purchased by leases? Who purchases the vehicles? What is the average price of a vehicle? What is the average cost of monthly maintenance and who pays for it? A review of the Controller's Report regarding the long term lease and how it can be structured to fit within the gate cap legislation.

- Sergeant Simpson gave report on an ongoing robbery series.

BLIC COMMENT:

- **Barry Taranto:** Commended Tristan Bettencourt for filling in for Director Machen and thanked Sergeant Simpson for his robbery report. Addressed the issue of long term leases and would like Commission to review it.
- **Robert Cesana:** Feels there are important meetings going on between the Mayor and Director Machen about what is going too happen with medallions, the system of disability, and healthcare. Would like to hear the reports.
- **Carl Macmurdo:** Addressed Commissioner Smith's request to calendar items.

9. ADJOURNMENT

Adjourned meeting at 8:35pm.

Respectfully submitted,

Jaime Poblitz
Principal Clerk

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
2/28/06

February 28, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the February 14, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Public Convenience and Necessity [INFORMATION AND POSSIBLE ACTION]
6. Clarifying Variations to Prop K Driving Requirement [DISCUSSION AND POSSIBLE ACTION]
7. Public Comment (Please limit public comment to items **not** on the agenda).
8. Review of Gate Fee Limit [DISCUSSION AND POSSIBLE ACTION]
9. Staff Report [INFORMATION]
10. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Adel Rahman Abdelrahman	Harindarpal Singh Grewal	Gregorio Ostolaza
Debesay T.Afeworki	Muhammad Azam Khan	Hicham Razzaz
Ahmed Mohammed Alajami	Bradley Jay Kosek	Mauro Augustus Santos
Ghamdan Mohamed Algazaly	Chau Trung Le	Scott Lawrence Shapiro
Yi Fang Au	Muhammad Arif Malik	Barrett Craig Silverman
Mohamed Benchohra	Christopher Maung	Albert Sodini
Jushua Luke Burgess	Corbett Hancock Miller	Lohit Reddy Tekula
Aldo Felipe Canchola	Owen James Muirhead	Umyint Thein
William Chea	Zaher Mohamed Musa	Ermias Fekadu Wolde
Jedaias Eliaquim Da Silva	Samuel Kimani Ndegwa	Samih H. Zabadi

B. Consideration of the Taxi Commission to grant Color Scheme Change to:

Medallion Holder	Cab #	Change
1. Louis Nmezie	9046	Royal to Best Cab
2. George Lancia	846	National to Sunset Cab*
3. Cuong Hung Tran	1251	Luxor to SF American Taxicab
4. Markos M. Tafesse	642	Arrow Cab to Desoto Cab
5. Elias B. Negash	9069	Comfort Cab to Desoto Cab
6. Abdulbaki Gudu	9012	Comfort Cab to Desoto Cab
7. Daryoush Amirehsani	378	Luxor Cab to Union Cab
8. Robert John Westermeyer	680	National Cab to Union Cab
9. Bader Saleh Erikat	1286	Crown Cab to Union Cab
8. Anthony Tran	1065	Regent Cab to Yellow Cab
9. Dominic Xavier Rodriguez	484	Luxor Cab to Yellow Cab

**postponed from December 13, 2005*

C. Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from Sunset Dispatch to CityWide Dispatch and grant the addition of name, George Lancia, Medallion # 846, on the Color Scheme Permit for Sunset Cab Company.

D. Recommendation of the Taxi Detail for consideration of Taxicab Medallion Holder Permit to:

Taxicab Permit Holder	Cab #	Change
1. Bieu Quach	198	Bay Cab
2. Feroze Aly Charania	455	Luxor Cab
3. James P. Mangan	994	Yellow Cab
4. Traiko D. Traikov	456	B & W Checker
5. Jimmie G. Diala	618	Yellow Cab
6. Jack S. Hoey	386	DeSoto Cab

E. The Taxi Detail recommends consideration from the Taxi Commission to remove deceased applicant name(s) from the Taxicab/Ramp Medallion waiting list:

Applicant Name	List #
1. Sylvester Primes	6-466
2. Zareh Soghikian	6-393

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F. Taxi Detail recommends consideration from the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. Raoul Alarcon	6-068	6. Michael Kagan	6-094
2. Mohammad Ashtianipour	6-264	7. Pierre Lee	6-037
3. Ollie Baylis	6-156	8. Dan Pearce	6-112
4. Timothy Brown	6-104	9. James Saporito	6-108
5. Scott Hopkins	6-028		

NOTICE

These items are not agenda items for this meeting but serve as public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the March 14, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. **TAXICAB PERMIT HOLDER:**
   1. Terry K. L. Chan
   2. Henry O. Tam
   3. Edward C. Bennett
   4. Richard S. Cottrell

2. **RAMPED TAXICAB: N/A**
3. **NEW COLOR SCHEME: N/A**

4. **COLOR SCHEME CHANGE:**

Medallion Holder	Cab#	Change
1. Dat V. Nguyen	837	Arrow Cab to Bay Cab

B. Taxi Detail recommends consideration from the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to a 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Dan Bell	6-361
2. An L. Chan	6-362
3. Harold L. Jones	6-368
4. Steve Kay	6-353
5. Cheryl Lee	6-357
6. Walter Lee	6-358
7. Tom Mori	6-389

C. Consideration of the Taxi Commission to grant a Time Waiver to:
   1. John Gargan
   2. Virginia C. Fuquay

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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San Francisco Taxicab Commission

February 28, 2006

MINUTES

Commission Chambers – Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

February 28, 2006

6:30PM

Regular Meeting

Present: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith

Absent: None

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PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30PM.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Vicky Siu – Taxi Commission; Sergeant

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**
3. **CONSIDERATION OF THE MINUTES for the FEBRUARY 14, 2006 TAXICAB COMMISSI**

   Commissioner Smith motions to approve the minutes. Commissioner Gillespie seconded the motion.

   AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None

   ABSENT: None **RECUSED:** None

PUBLIC COMMENT

- **Peter Witt:** Native San Franciscan, medallion holder for one month. I've been sponsored by a thous not sure if that's valid anymore because I'm an owner but including no less than three positions, I'm r Commission. I'm responsible for an ongoing study of limousines and an annual customer survey whi at the last minutes, on item 3, it does not have my complete statement that I submitted to this Commis written comment about 150 words; I don't see 150 words there. It's not what I submitted and I'm sur also is the same thing. Commissioners, we have repeated mistakes. We have mistakes current. (This Taxi Commission is following rules for written comment by limiting word count.)
- **Robert Cesana:** Just a brief comment on my comments regarding time waivers. I was under impres suggestion but I noticed we're still considering time waivers without having a discussion about it, wit necessarily mean that a time waiver will get you a medallion. I think you should resolve this.

Vice Pres. Breslin: The statements by Carl MacMurdo under public comment, I thought his impression stated the opposite from what it says here It says his impression is only medallion holders get important to state what the amendment is. We amended the budget including an investigator, however it doesn't state that although it's clear in dialogue but it should also say it in the motion

- **Pres. Jackson:** Carl is not here to speak for himself so we can't address that but we will certainly cla

4. CONSIDERATION OF THE CONSENT CALENDAR

A. Commissioner Smith motioned to approve 4A. (Recommendation of the Taxi Detail for considera Commissioner Kwok seconded the motion. Motion passes 7-0.

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None

ABSENT: None **RECUSED:** None

PUBLIC COMMENT: No public comment.

Approved Public Passenger Vehicle Driver Permits:

Adel Rahman Abdelrahman	Harindarpal Singh Grewal
Debesay T.Afeworki	Muhammad Azam Khan
Ahmed Mohammed Alajami	Bradley Jay Kosek
Ghamdan Mohamed Algazaly	Chau Trung Le
Yi Fang Au	Muhammad Arif Malik
Mohamed Benchohra	Christopher Maung
Jushua Luke Burgess	Corbett Hancock Miller
Aldo Felipe Canchola	Owen James Muirhead
William Chea	Zaher Mohamed Musa
Jedaias Eliaquim Da Silva	Samuel Kimani Ndegwa

B. Commission Gillespie motioned to continue 4B3. Commissioner Kwok seconded the motion. M

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None

ABSENT: None **RECUSED:** None

Commissioner Smith motioned to approve 4B1-2, 5-9. Commissioner Kwok seconded the motion. M

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None
ABSENT: None **RECUSED:** None

Commissioner Smith motioned to approve 4B10 & 11. Commissioner Breslin seconded the motion. I

AYES: Breslin; Jackson; Kwok; McGuire; Paek; Smith **NOES:** None
ABSENT: None **RECUSED:** Gillespie

PUBLIC COMMENT

- **Markos M. Tafesse:** We decided to stay with Arrow Cab. I had a hard time with DeSoto, Cindy.
- **Director Machen:** You wish to withdraw your Color Scheme Change from Arrow to DeSoto?
- **M. Tafesse:** Yes.
- **Pres. Jackson:** I just want to thank our staff person, Vicky, because she certainly got all of these me
- **Comm. Gillespie:** I would like to sever number 3 and recuse myself from number 10 and 11. I wou Is there a representative from American Cab here tonight? I've had some questions raised about this t
- **Pres. Jackson:** Is any representative here? [No representative]
- **Comm. Gillespie:** I'd like to motion to continue number 3 until the next meeting and pass the concei into it.
- **Comm. Kwok:** Seconded the motion.

Approved Color Scheme Changes:

Medallion Holder	Cab #	Change
1. Louis Nmezie	9046	Royal to Best
2. George Lancia	846	National to St
5. Elias B. Negash	9069	Comfort Cab
6. Abdulbaki Gudu	9012	Comfort Cab
7. Daryoush Amirehsani	378	Luxor Cab to
8. Robert John Westermeyer	680	National Cab
9. Bader Saleh Erikat	1286	Crown Cab to
10. Anthony Tran	1065	Regent Cab to
11. Dominic Xavier Rodriguez	484	Luxor Cab to

Request Withdrawn:

4. Markos M. Tafesse	642	Arrow Cab to

Continued:

3. Cuong Hung Tran	1251	Luxor to SF A

C. Commissioner Smith motions to approve 4C (Consideration of the Taxi Commission to grant a ch Dispatch to CityWide Dispatch and grant the addition of name, George Lancia, Medallion #846, (Commissioner Kwok seconded the motion. Motion passes 7-0.

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None
ABSENT: None **RECUSED:** None

PUBLIC COMMENT: No public comment.

D. Commissioner Smith motions to approve 4D: 1,2, 4 & 6 (Recommendation of the Taxi Detail for Commissioner Kwok seconded the motion. Motion passes 7-0.

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None
ABSENT: None **RECUSED:** None

Commissioner Smith motions to approve 4D: 3 & 5. Commissioner Kwok seconded the motion. Mot

AYES: Breslin; Jackson; Kwok; McGuire; Paek; Smith **NOES:** None
ABSENT: None **RECUSED:** Gillespie

Comm. Gillespie : I need to recuse myself from 3 & 5 and say special congratulations to Jim Manga Taxi programs and he's getting a medallion tonight. I got a call from someone in the Paratransit comn he'd be losing Jim as a service provider.

PUBLIC COMMENT: No public comment.

Approved Taxicab Permits:

Taxicab Permit Holder	Cab #	Color Scheme
1. Bieu Quach	198	Bay Cab
2. Feroze Aly Charania	455	Luxor Cab
3. James P. Mangan	994	Yellow Cab
4. Traiko D. Traikov	456	B & W Checker

5. Jimmie G. Diala	618	Yellow Cab
6. Jack S. Hoey	386	DeSoto Cab

E. Commissioner Smith motions to approve 4E (Consideration of the Taxi Commission to remove d Medallion waiting list). Commissioner Paek seconded the motion. Motion passes 7-0.

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None

ABSENT: None **RECUSED:** None

PUBLIC COMMENT: No public comment.

Approved deceased applicant name(s) to be removed from the Taxicab/Ramp Medallion wait list:

Applicant Name	List #
1. Sylvester Primes	6-466
2. Zareh Soghikian	6-393

F. Commissioner Smith motions to approve 4F (Consideration of the Taxi Commission to remove ap final notice). Commissioner Paek seconded the motion. Motion passes 7-0.

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None

ABSENT: None **RECUSED:** None

PUBLIC COMMENT: No public comment.

Approved applicant name(s) to be removed from the Taxicab/Ramp Medallion wait list:

Applicant Name	List #	Applicant Name
1. Raoul Alarcon	6-068	6. Michael Kagan
2. Mohammad Ashtianipour	6-264	7. Pierre Lee
3. Ollie Baylis	6-156	8. Dan Pearce
4. Timothy Brown	6-104	9. James Saporito
5. Scott Hopkins	6-028	

5. PUBLIC CONVENIENCE AND NECESSITY

Commissioner Gillespie motions to conclude that no more taxis are needed. Commissioner Smith sec

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None

ABSENT: None **RECUSED:** None

- **Director Machen :** For Municipal Police Code 1079C, declaration of PC&N, it speaks specifically tc service.
- **Vice Pres. Breslin :** Thanks to the executive director for reporting to something I just asked yesterda cabs on the street but convenience of the public on how they get from point A to B matters. Since it a the public understands why I'm not speaking to service tonight.
- **Dir. Machen :** Gave a brief introduction of the PC&N. The conclusion from both studies state that S from the last meeting, President Jackson stated that if the public made comments at that meeting [Feb another comment tonight. Gave list of people who spoke last time on this agenda item.

PUBLIC COMMENT

- **Barry Taranto :** Although the report is brief, it shows that putting more cabs on the streets isn't goin The Castro and Noe Valley area shows that because of the heavy use, more cabs will be patrolling thc district gets more radio calls and drivers are more used to serving that area. Unfortunately in the Bay crime or not being paid, we have to deal with that. In reality, we have to look at improving dispatch. people are responded to when they call dispatch. It would be great for the Commission to agree on in dispatch is operating and set goals for dispatch services.
- **Mark Gruberg :** I urge you not to approve any more taxi permits at this time. The survey showed th are the street flags, hotels and the airport. The one problem area is dispatch. There were certain factc there is a structural problem. At the busy time, it's hard to get cab to show up reliably when you call the street. You have to look at other means of improving dispatch service. One finding that was quite hardest nights to call for cab but the *easiest* shift to flag a cab. That says to me that drivers have no cc
- **President Jackson :** Mark, do you think that it's possible that when dispatch sends taxis some place
- **M. Gruberg :** All the time. It's a huge problem. People call multiple companies then the go out into
- **Comm. Gillespie :** It shows that drivers won't pick up radio calls because they don't think anybody's report that showed it was easier to flag on a Friday and Saturday night.
- **Thomas George Williams :** Peter Witt 's survey was a surprise to me. I compared it with the City's it's not a bad idea to take a look at it-it's a pretty old one and the results are pretty much the same. In enough. We are only busy at certain times-when people want to go to the diner or go home from the b and the survey shows dispatch is bad because drivers don't make much on dispatch. For a long time v looked into that. One important thing, please no more cabs, thank you.
- **Dominic Rodriguez:** I came up with a couple of suggestions like Cow Palace should have cab stand: location or someone can drop them at that location. Drivers get calls to these areas which are long dis know they can go and drop their families there to get a cab to their destinations. Also, drivers will fee driving to other areas. After a while I came back from vacation and I was at Pan Pacific Hotel, some l to pick up rides, you are secondary. He said he asked him 'why don't you have contracts with these g have a taxi stand, I can't believe this.
- **Vice Pres. Breslin :** Through the chair, did I not hear you announce about a month ago that the Nikk
- **Dir. Machen :** It was just the Nikko Hotel.
- **Pres. Jackson :** If person can take their family to 3rd Street then they can take their family all the wa
- **D. Rodriguez :** No, but it's only a couple blocks and some people don't want to go to certain areas.

robberies, killings, people are scared and they don't want to go there. This is all over the world. I tra take their family to a stand.

- **Pres. Jackson:** The point is that if they could drive their family to a stand on 3rd Street then they cou cab. We need to encourage the drivers to get out there a little bit more because there are many homes provide it to them.

- **John Lazar:** We don't need more cabs. On Friday and Saturday, we pick up around 4pm and 2am, and a lot of business but if it wasn't for the drivers at Luxor Cab doing the job they're supposed to be who only have 4-5 cabs, I can't see them servicing the city of San Francisco in the outer areas. We cc enforcement to stop the solicitation from town cars. If the town cars were controlled and enforced the solution is to issue permits to companies that are complying and having those companies pay the taxi control these bandit cabs and town cars.
- **Vice Pres. Breslin:** What is your example from San Diego?
- **J. Lazar:** In San Diego, 25% of the medallions are issued to companies and 75% to individuals and t enforcement just like Las Vegas. If you put 10 Commissioners out there with badges going out every activities and provide the service for the cabs in San Francisco.
- **Pres. Jackson:** Clearly, this should be the Taxi and Limousine Commission and give us the authorit about this problem. But they are regulated by the State and we don't have that responsibility.
- **Ruah Graffis, UTW:** I agree with John Lazar to make sure limos are not steeling our rides. It does experienced cab driver can take 10-15% more rides.
- **Pres.Jackson:** Are you in favor of having more cabs?
- **R. Graffis:** No, I am not. It does seem to be that the problem lies in the dispatch service. Phones ar dispatchers and as part of your process, you should make sure that when one medallion goes from one The other thing that was interesting in the report is that all the letters of complaint stating they wantec How did they all arrive on the same day?
- **Dave Doering:** I have two hats, one as a working cab driver and one as a cab school instructor. As a additional medallions are not needed. As a cab school instructor, it might seem that I'm interested in generate more students. But that is not the case. I'm concerned that students who go to school can m ability to do that. I want to tell them you can make reasonable living driving a cab. The survey point: who drives on weekends, I find it frustrating that I frequently have to take 2 or 3 computer calls and w minutes. The other aspect is customer service.
- **Comm. Smith:** Getting back to the Bay View, from Double Rock to Seal Rock, CityWide has alway us one of the top dispatches in the City. The owners of the dispatch have made sure that customer ser lot of business in Bay View, outer Third and southeast corner of the City. I don't want to have more out there because of crime and type casting.
- **Comm. McGuire:** For some reason there isn't much input from anyone outside the industry and that that there's something kind of suspicious about the complaint letters from the public. They spelled the survey that we paid a lot of money for. Didn't we hire these people to go out at various times of the y October. That's our busiest time and they still said we don't need more cabs. I have a big issue with wanted them to-they didn't follow the process. The dispatcher identified the secret shoppers after a f don't respond well to anyway. They weren't calling from a house. Is there someway we can address

- **Dir. Machen :** In response to Commissioner McGuire 's question, whether this was to be done throu to the contracting restraints with the City, we were lucky to have the survey done at all in time for the HRC, etc. This is a small contract for these people. They had to hire people to be at the various locat the staging lots out there. They do mention that the survey was performed during the last 2 wks of Oc something from which this Commission can gather some information to make good policy.
- **Comm. McGuire :** I'm in favor of having no more cabs.
- **Comm. Gillespie :** I also don't think we need mor I think we need to spend more time on the service aspect. We need a whole service hearing. I responding-especially the ramp taxis. We need that information. As far as PC&N, it's clear that we have enough cabs now.
- **Vice Pres. Breslin :** I agree we don't need more cabs. I welcome a service hearing. I see warning si the evenings and at conventions. Pay attention to the convention calendars. I'm also getting commen That court area is a great stop and people shouldn't have to wait for taxis there. At the next PC&N, if rumblings at that time.
- **Pres. Jackson :** We will definitely schedule a service hearing.
- **Comm. Kwok :** I live 2 blocks from the Moscone Convention Center. I need to use a ramp taxi only. seen any improvement in service pick up. I realized that when I call certain cab companies, it takes 4: it's not a busy time. I know when there's a convention it takes up a lot of cabs I'm just not happy that don't believe that putting 100 more cabs out there will improve service. The problems remain the san that's why they spend more time at the hotels and airport. Maybe we should close down one of the lo drivers should have to come back to the City and service the City. Until some of you are willing to sp any more cabs. I want to see service improved.
- **Comm. Paek :** I agree that we don't need more taxis. I see reoccurring issues such as quality of the s central dispatch system, etc. I would like to see these items connect. If we make a connection, then it there's any way we can have a master plan. Perhaps we should come back and constantly review wha system, safety, services, etc. I would like to work with staff on a time line and plan.
- **Pres. Jackson :** There seems to be a consensus from all Commissioners that there is not a need for ac there needs to be a resolution of that or do you simply need to let that be?
- **Comm. Gillespie :** I move that PC&N concludes that no more taxis are needed at this time.
- **Comm. Smith :** Seconded the motion.

6. CLARIFYING VARIATIONS TO PROP K DRIVING REQUIREMENT

Commissioner Gillespie moved to approve the resolution for item 6 (Clarifying Variations to Prop K I the motion. Motion passed 4-2.

AYES: Jackson ; Gillespie; Kwok; Paek **NOES:** Breslin; Smith

ABSENT: None **RECUSED:** McGuire

- **Director Machen :** Gave a brief summary of Prop K and the driving requirement.
- **Pres. Jackson :** Commissioner McGuire has recused herself from this item.

PUBLIC COMMENT

- **Steve Reimes:** Anne needs to read something and it's easier for her to read it. Could I give her my t
- **City Attorney Owen:** It's not lawful.
- **Pres. Jackson:** The City Attorney has said that we're not able to let you do that so I cannot oppose t
- **Tom Diesso:** I'm confused about this issue. I've been carrying around Prop K for about 30 years nc medallion is in section 4: continuing service. That means that my cab has to be on the street 24/7 reg or anything like that. It was to keep individuals from saying 'I win the lottery, I own a cab. You kno read it right, I think I'm complying with my driving requirement when the time comes and I'm ready t a 24/7 company. Whether or not I'm behind the wheel doesn't matter because the public is still serve
- **Jim Gillespie, SF Taxi Assoc. & Yellow Cab:** I'm disturbed this item is up before the Commission it's height of controversy. This Friday some representatives from the taxi industry are meeting with r to look for alternatives to Prop K. I'm saddened that we're rushing to establish another interpretation disabled. I'm sure there are several people that the Commission can look at that are doing something set this up to go after the disabled. Much effort was used to support the Mayor's search for a valuabl trying to figure out how to better interpret K to go after the medallion. My suggestion would be to tat
- **John Nakis:** It's amazing that we have to discuss an item like this. It seems inhumane and somethin relative due to exactly something this item. He took his own life over this. It's being human, vote ag 30-40 years ago, under communist rule, small piece of parcel was given to a farmer, who could cultiv took that piece away. Is that what this is? I'm sorry, I don't like it. It's against the human role. Thar
- **Charles Rathbone:** I'd like to extend a special greeting to Commissioner Kwok. You and I and a lc bunch of City Hall bureaucrats who didn't care about pedestrians. They didn't want to make all cars to move faster but we went over their heads. We went to the political powers and helped make those bureaucrats under you is pushing an agenda that would make life more dangerous for San Francisco p company managers when they say this proposal is dangerous. I appeal to you to stop City Hall from p
- **Comm. Kwok:** Are you supporting this?
- **C. Rathbone:** I'm asking you to vote no
- **George Fanouveiakis:** I think it's totally wrong to go after the disabled and take their medallions. taking their medallions away, even if these people aren't able to perform at 100%, they're going to be sick is someone telling you that they're going to take your medallion away. UTW stated that for 25 y followed. The police want to take the disabled people's medallions but they didn't want to touch that
- **Anne McVeigh:** I'd like my statement reported in the minutes without summation. All quotes are fr Deputy City Attorney, Tom Owen 's memorandum of December 7, 2005 to the Taxi Commissioners K, as referenced in footnote 1, section 4 states, under continuance operation, all permittees shall regul vehicle for hire business during each day of the year to the extent reasonably necessary to meet public service, end quote. Under a reasonable application of ADA 's essential eligibility requirement, other providing taxicab service to the public. Owens footnote 1, Prop K quote continues under the category operator may abandon such business...
- **Comm. Smith:** Could you give me the numbers of the NPC?
- **A. McVeigh:** It's in Prop K. I was reading section 4A and 2B. All of the quotes are in a piece of pa footnotes. That was a memorandum that he wrote sort of supporting Ms. Machen 's outrageous prop
- **Vice Pres. Breslin:** Did you say 10/8/02? Because in 10/8/02, Attorney Owens was not here. It wo
- **A. McVeigh:** Right, Zarefsky was here, they both worked on it and on the actual day, Zarefsky was l

- **Marianna Photiou:** Proposition K was a program that was limiting corporate ownership and reward (inaudible) small business titles. Everyone who's livelihood is threatened today by Resolution 2006 i the license program. As does the federal and state government which collects taxes from medallion h employment tax, the disability tax, social security tax. Also pay a business fee to the City. So if a pe too old to stand behind the counter or turn a heavy valve, does the City take away their permit to oper we be different in the first place? Proposing this resolution just doesn't make sense. Worse yet, this
- **George Lancia:** I got very little to say. I'm not sure what I'm supposed to say today. Maybe I'll giv before the podium? If it's for or against the issue of more medallions, I'm totally against that.
- **Dir. Machen:** That's the wrong item.
- **G. Lancia:** Americans for Disability, is that what we're talking about here? I'm for it. I know little papers but I'm for disability and I'm for the current status for people with disability.
- **Mark Gruberg:** It's obvious why permit holders want to retain their medallions for the rest of their in this industry without medallions who are in the exact situation as all medallion holders. There's a hours. An elderly driver who may need the income a lot more than a permit holder is probably going this or something similar to it. In terms of changes there have only been eight different attempts and Mayor staff, we were told the Mayor is not looking at a ballot measure this year. This is the time to l reaching the end of their careers.
- **W. Blake Derby:** My # was 27951. Now they're up to 61000's. I've outlasted 30,000 cab drivers. is basically doing your homework and you have foresight and take the initiative. You get on the list, l medallion and when I got my medallion, I realized what I was in for. I swore the intent to drive. But I status of operator with my medallion. Drivers are not getting their waybills checked but mine are che want to have a cab in Maui. I'm responsible, accountable and liable for all those things I signed in th things.
- **Thomas Ferris:** I'm representing a friend who's been in the industry for 30 years. He's had a stroke him the other day about this and he said if you take his medallion away, he will come back driving, bl supporting this issue, you'll be putting the public in danger. These guys aren't going to give up their they do that.
- **Comm. Gillespie:** Do you believe there is ever a point when at which a permit holder should give ba their medallions until the day they die?
- **T. Ferris:** Yes I do.
- **Carl Macmurdo:** Last October, PDA withdrew the lawsuit without prejudices totally improper for t its decision by telling you that this decision gives you the authority to determine the limited allowanc proper as a modification to ADA if your essential eligibility requirement were legal and valid. But w the 90 day variance also applies to the driving requirement. In section 2 we just swear the applicant's determine what that means. To say that 90 days is a limit and applies to the permit holder it means th days. Finally, we found from 1970 that it applies to the permit not the permit holder.
- **Comm. Smith:** Does the 90 days refer to the operation of the vehicle or is it a medical accommodati
- **Attorney Owen:** It's not specific to the ADA but it is an allowance that was adopted by the voters.
- **Comm. Smith:** This section, 1079, which was issued March 19, 1970, is that variance correct?
- **Attorney Owen:** No, I'm referring to Prop K.

- **Vice Pres. Breslin :** Reads section 1079 from March 9, 1970. To me, it's only suspending the opera attorney.
- **Raif Denktas :** I've been in the industry for almost 30 years. I don't have medallion or a permit so I (law. We have enough homeless in San Francisco streets. We have 55 and 65 year old drivers and the income and push them out on the street is totally inhumane. They should be ashamed whoever put thi
- **Arthur Lembke :** I'm a retired driver and was on the Board of Directors for over 25 years. I drove f drafted this legislation not to benefit the taxi industry but to keep Yellow Cab off the streets. He was Co. which went bankrupt. The company he was backing won the bid for the assets of the former Yell and there would be no such law as Prop K. The City should look at ways to make taxicab permits tra take cabs. I believe its criminal to force a driver to drive a cab if he's too old to drive at the threat of when they're ill.
- **David Pilpel :** I just want to reiterate past comments I've made in support of the driving requirement disagree with that requirement and they should try to get the law changed. As it is now, we should en approach to this complicated problem and I urge you to pass it.
- **Brooks Dyer :** Imagine a permit holder driving her taxi and a drunk driver plows into her. Paralyzed operations, sits on a committee at her cab company, attends taxi commission meetings and is a memb this proposal. The executive director believes that the Commission should take away the medallion w give the disabled medallion permit to the first person on the waiting list who is able to drive an earn a kind of reason is not only illogical but also immoral. Some medallion holders will push themselves t accident. I urge you to vote against the executive director's risky gamble. You're opening up Pandor
- **Comm. Kwok :** Based on your story, honestly, if the driver isn't driving her cab, is the guy who hit h My insurance didn't cover me and I had to use my social security early and other benefits. I have no i surviving based on my income. I'm not debating with you. The law says clearly there are only certai reasonable exemption.
- **Robert Cesana :** The integrity of your Commission is in question. One of the reasons its in question Commissioners officially and you are just here at the pleasure of the Mayor. Many of you haven't be you are trying to make the most important decision that this Commission has ever made when on Frid decide as to whether we should do this at all. You're going to hold this? The whole industry is talkin these questions to rest, don't vote tonight.
- **Barry Taranto :** I'd like to ask the President to ask the director to read the resolution in its entirety. going to benefit from this procedure and it gives direction to the staff as it was discussed previously. great if some of them were here. The issue brought forward by President Jackson is ADA is not a reti medallions, they should be getting a class on financial planning so they can learn to start saving for th because they drive a cab. What this policy does is deal with those who abuse the system and use the collect income from companies or drivers who lease their medallions.
- **Ruah Graffis :** The City taxes plumbers either through gross receipt tax or payroll tax. What does th medallion holder a virtually "free" medallion. The City asks two things: public safety and public serv because the cab will stay in better order. Every driver knows that spares have no permit holders looki permit holder to drive because the City understands that the permit holder, who gets two sources of in will advantage the better radio company because part of their income is based on that. The one perso holder. There are many drivers who have disabilities and many aren't permit holders. Pass this resol
- **Thomas G. Williams :** A blind pilot looses his license. A dentist maybe as well. A blind color sche

and being afraid of ending up on the streets, there's a reason we don't have a retirement plan. We nee This proposal is fair towards the disabled driver/permit holder. It gives time to recover and to figure (there to find solutions but no one knows if they'll find any and when. So we have to follow K and ma I ask you to support this proposal.

- **John Lazar:** My father's been in the business since 1946. The problem with Proposition K is we ne When a person signed up for a medallion, they weren't told they had to work at all. Later, rules chang If you received a medallion, you were told you had to turn it in at 65 and people had 10-15 years to pl heard today that a driver doesn't have double income. He has a job like all of us have a job. Each me driver who's been driving for 40 years, I think he should be given a proclamation from the City telling death.
- **Comm. Kwok**: We will have to make a vote tonight. One side has a law I need to follow other side any way for you to suggest making it work?
- **J. Lazar:** Look at each individual medallion and not group them up. Their time of service in the ind not grandfather people in?
- **Peter Witt:** Two minutes is not appropriate. If you have an important subject, I think its worth takin middle on this. Both sides have a good point and it needs to be worked out. I don't think there is an e lucky enough to be on the list. But for a regular driver, if they get sick, they have to drive or they lose that taxi drivers don't have one of these; we seem to be odd man or woman out. Police have a bill of Commissioners just do what you want. Cab drivers don't fade away, they die on the spot.
- **Dir. Machen:** Per the request of the Commission read the Resolution.
- **Comm. Gillespie:** I move to vote for this resolution.
- **Comm. Kwok:** I second the motion.
- **Comm. Breslin:** I'm not in favor of this motion, however, should this goes through, I want to strike adopted October 8, 2002…' Also, the paragraph about variation to medical leave, that's an interrupti things in the resolution that don't apply.
- **Pres. Jackson:** Asks for a role call.
- **Dir. Machen:** Commissioner Smith : No; Commissioner Paek : Yes; Commissioner Kwok: Yes; Co President Jackson : Yes. The motion passes 4-2.

7. **PUBLIC COMMENT**

- **Steve Reimes:** Besides my idea for a knowledge test to get the right people behind the wheel of cabs behind the wheel. There are a lot of people who know this town and are willing to ring doorbells and have that money. We now have a Prop K taxi system in this city and since I started driving in March cooperatives and individuals of this city pay the cost of the vehicles and the training. We make it one the advantages of ownership. We have to wait until the City or Police department tell us who can dri and test them.
- **Robert Cesana:** We decided that we had to clean up the illegal taxis and limousines. Yet this Comn Police department who says we'd rather not have the officers do this because we haven't got any poli someone who's not a police officer. There are so many areas of compromise, a retired officer, an offi to be part of the Police department. But we can't have that because, 'he's not a Police officer. Have when they get into a problem with a motorist? The Police department comes. This is an extremely bu

things like that. This is a disservice to the public.

- **Barry Taranto :** I want to thank President Jackson 's comments. We need to have compassion but a correct that the quality of service is not as good as it used to be. We also need to train drivers better a driver make a living not fight them. Not give them a ticket for trying to do their job or have doormen order to get a fare at a hotel. This is what's putting the good people out of the industry. You need to their job right and reward drivers who are doing a good job. There are a lot of events in the city. Dri
- **Art Lembke:** I'd like to ask the City Attorney, what would happens the next time a person is ill, dri be able to be responsible for this law suit? Who's going to pay that?
- **Vice Pres. Breslin :** This was an agenda item so we can't take your comment.
- **Peter Witt :** What happened to interactive taxis? I was wondering if you're monitoring the process, The public does care about the top lights, why don't you? I care because I have to avoid hitting them residents are pretty satisfied with the taxi service. But what is it? Is it prearranged or is it flags on th that was given. In fact, that was a pretty shallow survey if you ask me. For instance, the complaints t two weeks ago, called again and again. 30 minute wait on the phone. Bad service, called cabs repeat comments from the customers. There's no compliment question.
- **Marianna Photiou :** The more I sit here the more I'm convinced that I work for you. Why don't you If you're going to look at every detail, you should look for better service and protect us too. You can service faster and cheaper for the riding public. Maybe that will save everyone.
- **Charles Rathbone :** A week ago, I read a disturbing item in newspaper by Ken Garcia. A medallion public and he was held up for ridicule. The only person quoted was your staff. I hope that your staff from medallion holders to score political points from the press. I hope you have a strict policy of con
- **Pres. Jackson :** We have a strict policy of confidentiality on medical records as it is the law.
- **Attorney Owen :** Through the chair, Ken Garcia was reporting issues that were raised in a public he
- **Thomas George Williams :** I'm asking you to hire a private investigator for illegal limos. Give him and give tickets. Another thing, we need a policy in the city for public transportation. The private ca right from to mess up cities with the private cars. There's a proposal coming from the Bicycle Coaliti downtown area. I ask you to support this proposal. It will be a huge push towards taxis. Also makes driver and last Monday I lost my taxi to a hit and run. Tomorrow I start gate driving so we need publ
- **David Pilpel :** A member of the public mentioned that some of the terms expired and I wanted to ind hold office as hold over regardless of when appointed even if terms expire tomorrow until successors role is to weigh all of their interest and serve the public interest generally. That's why you have diver the binders.

8. REVIEW OF GATE FEE LIMIT

Commissioner Gillespie motions to continue item 8 (Review of Gate Fee Limit). Commissioner Kwo

AYES: Breslin; Jackson; Gillespie; Kwok; McGuire; Paek; Smith **NOES:** None

ABSENT: None **RECUSED:** None

- **Pres. Jackson :** Commissioners if this is a pressing item, we can move on or we can table this item u
- **Comm. Gillespie :** I'd like to continue this to the next meeting.
- **Comm. McGuire :** Is this about the Fiona Ma legislation? What's the status and where's the bill sta
- **Director Machen :** It's been introduced but has not been scheduled for committee yet.
- **Pres. Jackson :** We already passed a $1 surcharge for gas.
- **Dir. Machen:** Through the chair, this is all Supervisor Ma's legislation which was based on the Cont a letter to the Board of Supervisors asking for a meter increase with other provisions thrown in. As a Supervisor Ma introduced a package of legislation which would raise the meter and put new cap on th can review the meter increase at the same time.
- **Comm. Kwok :** I want to 2nd Paul 's motion.
- **Pres. Jackson :** If you make a public comment on this item tonight, you will not be able to comment

PUBLIC COMMENT

- **Peter Witt :** I don't plan on coming here anymore. I would like to make this my final. Every time we driver's increase in salary is nil. It gets nullified by the gate increase. We've had a gate increase, it w coverage for all drivers. We're still with that high gate and we're getting another gate increase that I' drivers have been biting the bullet ever since 911 and gas prices are high. There's a little thing simila raise to inflation. In order to live in San Francisco one has to maintain a certain standard of living wh yearly.
- **Mark Gruberg :** I believe it's premature to discuss this now and even at the next meeting. The reasc is due on March 15th. I don't believe there should be any discussion of gates without factoring into tl terms of health care. If there are other proposals, I believe they should be brought forward and made suggestion was made for important items, there should be advance notice on the agenda. I second tha

9. STAFF REPORT

- **Director Machen :** Gave an update on the meetings she attended and correspondence received and sent. Thanked staff for their diligent work.

Commissioner Smith has requested to calendar a discussion about developing a ramp taxi company de Smith thanks the efforts of DPT: the number of limos, shuttles and out of town taxis have increased b San Francisco.

PUBLIC COMMENT

- **Barry Taranto :** Commissioner Smith is right. We met some drivers and I met with the head of DP Staff is working on reversing this. I'm concerned about the CalTrain bike stand. There really is no o to relocate the bike facility further back from the front of the train station. We need to be able to pull stand and to have it disappear is a problem. I hope staff will make sure that this doesn't hurt cab stati
- **Peter Witt :** You're not going to give me the time back after you interrupted me? For the record, yo interrupted them but to me, you've given me no time back. Public outreach, I'm a little disappointed and only 538 back, is that right? Not a very good response especially from all the irritated/agitated pe

trouble to respond to that. Drivers were never notified about the PC&N hearing. We used to be maile position. We haven't had that for two years because you haven't had a PC&N Hearing for two years. they never got a mailer. But the outreach for the public is certainly there.

10. Adjournment

Meeting adjourned at 9:49pm.

Respectfully Submitted,

Vicky Siu

Office Coordinator

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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3/14/06

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MAR 10 2006
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March 14, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the February 28, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Election for a President and Vice President of the San Francisco Taxi Commission. [ACTION]
6. Review of the Meter Rate and Gate Fee and Lease Cap legislation introduced by Supervisor Ma [DISCUSSION AND POSSIBLE ACTION]
7. Public Comment (Please limit public comment to items **not** on the agenda).
8. Defining Eligibility for Time Waivers for Medallion Waiting List Applicants [DISCUSSION AND POSSIBLE ACTION]
9. Staff Report [INFORMATION]
10. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Abdullah S. M. Alhoqbi	Jamel A. Gattoufi	Yonas A. Ogbagaber
Nassan M. Aljanaby	Sadiq K.M. Hussain	Ney T. Oliveira
Tito S. Andrade	Kearny Hy	Nabi M. Omarkhil
Soulo S. Bandeira	Eltayeb M. Ibrahim	Kleber P. Pinheiro
Jairo A. Brito	Ismail M. Idris	Pushpa R. Pokharel
Khurelbaatar Bud	Hong Kyoo Kim	Anil C. Pradhan
Luong S. Chau	Kiril P. Kovatchev	Yadawendra G. Shrestha
Edimar C. Delfino	Santosh Lama	Alexander A. Sosnovsky
Wilmar D. DeOliveira	Wagner P. Machado	Saysana Thepkaysone
Daniel W. Z. Duong	Luther A. Manning	Lim P. Trinh
Mikhail Ekchenguer	Maung L. Moe	Weyman Tso
Robel W. Eyassu	Carlos F. Motta	Vitorio V. Vieira
Matthew M. Gatto	Michael J. Moura	

B. Recommendation of the Taxi Detail for consideration from the Taxi Commission to grant a Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Cab #	Color Scheme
1. Terry K. L. Chan	800	Luxor Cab
2. Henry O. Tam	939	Fog City Cab
3. Edward C. Bennett	707	Worldwide Cab
4. Richard S. Cottrell	322	DeSoto Cab

C. Consideration of the Taxi Commission to grant Color Scheme Change to:

Medallion Holder	Cab#	Change
1. Dat V. Nguyen	837	Arrow Cab to Bay Cab
2. Cuong Hung Tran*	1251	Luxor to SF American Taxicab

**Continued from February 28, 2006*

D. Taxi Detail recommends consideration from the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list after failure to respond to 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Dan Bell	6-361
2. An L. Chan	6-362
3. Harold L. Jones	6-368
4. Steve Kay	6-353
5. Cheryl Lee	6-357
6. Walter Lee	6-358
7. Tom Mori	6-389
8. Shawn Amirehsani*	6-283

**Continued from February 28, 2006- Applicant also considered in Item E for time waiver*

E. Consideration of the Taxi Commission to grant a Time Waiver to:
1. John Gargan
2. Virginia C. Fuquay
3. Shawn Amirehsani*

** Continued from February 28, 2006/Pending discussion on Item 7*

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the March 28, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. **TAXICAB PERMIT HOLDER:**
   1. Harry L. Garver
   2. Bon N. Huey

RAMPED TAXICAB: N/A
NEW COLOR SCHEME: N/A

2. **COLOR SCHEME CHANGE:**

Medallion Holder:	Cab#	Change
1. Austin Brice James	825	Sunset Cab to Bay Cab
2. Osama M.I. Awwar	9051	Yellow Cab to Royal Taxi
3. Jamshid Eslam Khajvandi	481	Luxor Cab to Yellow Cab
4. Phillip Q. Tran	1118	Luxor Cab to Yellow Cab

B. Removal of deceased applicant name(s) from the Taxicab/Ramp Medallion waiting list:

Applicant Name	List #
1. Lung M. Lem	6-388
2. Leland W. Stephens	6-375
3. Lee J. Williams	6-373
4. Arthur Clark	6-495
5. Eugene Larkin	6-486
6. Allan Thompson	6-490
7. Michael Welch	6-488

C. Consideration of the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list for a Ramp Medallion offer, after failure to respond to 'Final Notice' per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. John P. Sanchez	6-444
2. Vincent J. Williams	6-450
3. Bruce Fehling	6-456
4. Thomas Winz	6-458
5. Philip A. Teri	6-460
6. David O. Klampert	6-464
7. Freydoun H. Toloui	6-465
8. Victoria Lansdown	6-469
9. Behailu Mekbib	6-474

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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San Francisco Taxicab Commission

March 14, 2006

MINUTES

Commission Chambers – Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

March 14, 2006

6:30PM

Regular Meeting

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Present: Breslin; Jackson; Gillespie; McGuire; Paek; Smith

Absent: Kwok

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30PM.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz – Taxi Commission; Sergeant Vincent Simpson – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**
3. **CONSIDERATION OF THE MINUTES for the FEBRUARY 28, 2006 TAXICAB COMMISSION MEETING**

   Commissioner Smith motions to approve the minutes. Commissioner Paek seconded the motion. Motion passes 5-0.

   AYES: Breslin; Jackson; Gillespie; Paek; Smith **NOES:** None

   ABSENT: McGuire, Kwok **RECUSED:** None

   PUBLIC COMMENT: No public comment

   Vice Pres. Breslin: The Executive Director and I had a discussion and she gave me the process on how minutes are supposed to be done. I know that the minutes need to contain certain information. I felt the minutes did not convey enough what the Commission had discussed, especially in regards to the Prop K and the driving requirement. I know that legally we don't have to but I just want to call it to your attention because I think that other people look at written

minutes in the future we may want to take a look on how Commission discussion are presented in the minutes. I know that they are completely appropriate as far as what legally we have to do, so I'm not challenging that at all I'm just bringing that to our attention to just consider whether we what to have additional information or whether we want public comment summarized more than it is currently done.

- **Pres. Jackson:** Commissioner Breslin we would have to agendize that item, discuss it, and give our Director different direction. So if you would like for us to agendize this for another meeting we would be happy to ask the Director to do that. Would you like that?
- **Vice Pres. Breslin:** Yes
- **Pres. Jackson:** Our direction on the minutes is a discussion at another meeting where it's calendared and the public can have input.

4. CONSIDERATION OF THE CONSENT CALENDAR

A. Commissioner Smith motioned to approve 4A. (Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver Permit). Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Breslin; Jackson; Gillespie; Paek; Smith **NOES:** None

ABSENT: Kwok; McGuire **RECUSED:** None

PUBLIC COMMENT: No public comment.

Approved Public Passenger Vehicle Driver Permits:

Abdullah S. M. Alhoqbi	Jamel A. Gattoufi	Yonas A. Ogbagaber
Nassan M. Aljanaby	Sadiq K.M. Hussain	Ney T. Oliveira
Tito S. Andrade	Kearny Hy	Nabi M. Omarkhil
Soulo S. Bandeira	Eltayeb M. Ibrahim	Kleber P. Pinheiro
Jairo A. Brito	Ismail M. Idris	Pushpa R. Pokharel
Khurelbaatar Bud	Hong Kyoo Kim	Anil C. Pradhan
Luong S. Chau	Kiril P. Kovatchev	Yadawendra G. Shrestha
Edimar C. Delfino	Santosh Lama	Alexander A. Sosnovsky
Wilmar D. DeOliveira	Wagner P. Machado	Saysana Thepkaysone
Daniel W. Z. Duong	Luther A. Manning	Lim P. Trinh
Mikhail Ekchenguer	Maung L. Moe	Weyman Tso
Robel W. Eyassu	Carlos F. Motta	Vitorio V. Vieira

Matthew M. Gatto	Michael J. Moura	

B. Commission Smith motioned to approve 4B. (Recommendation of the Taxi Detail for consideration from the Taxi Commission to grant a Taxicab Medallion Holder Permit) Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Breslin; Jackson; Gillespie; Paek; Smith **NOES:** None

ABSENT: Kwok; McGuire **RECUSED:** None

PUBLIC COMMENT:

- **Keith Raskin:** From Worldwide Cab, presented Ed Bennett a gift for receiving his medallion and acknowledging his outstanding service as a taxi driver.

Taxicab Permit Applicant:	Cab #	Color Scheme
1. Terry K. L. Chan	800	Luxor Cab
2. Henry O. Tam	939	Fog City Cab
3. Edward C. Bennett	707	Worldwide Cab
4. Richard J. Cottrell	322	DeSoto Cab

C. Commission Gillespie motioned to continue 4C. (Consideration of the Taxi Commission to grant a Color Scheme Change) Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Breslin; Jackson; Gillespie; Paek; Smith **NOES:** None

ABSENT: Kwok; McGuire **RECUSED:** None

- **Director Machen:** Staff recommendation is for the Commission to continue these items due to ongoing investigations for both applicants.

**Continued*

Medallion Holder	Cab#	Change
1. Dat V. Nguyen*	837	Arrow Cab to Bay Cab
2. Cuong Hung Tran*	1251	Luxor to SF American Taxicab

D. Commission Smith motioned to approve 4D 1, 3-8. (Consideration of the Taxi Commission to remove applicants name(s) from the Taxicab/Ramp Medallion waiting list after failure to

respond to "Final Notice" per Municipal Police Code Section 1080(c)(2) Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Breslin; Jackson; Gillespie; Paek; Smith; McGuire **NOES:** None

ABSENT: Kwok **RECUSED:** None

PUBLIC COMMENT

- **Ken Chan:** Good evening Commissioners. I'm Ken Chan and I'm here on behalf of my sister An Chan

who is not here tonight. She would like the Commissioner to grant her a time waiver, currently she is on the medallion removal list.

- **Commissioner Smith:** Why did she not contact the Taxi Commission office?
- **Ken Chan:** She moved over a year ago and filed a change of address with the Taxi Detail but apparently

they didn't change the old address to the new address.

- **Commissioner Gillespie:** Why isn't she here tonight?
- **Ken Chan:** She informed me that she is in the process of gathering information to present to the Taxi Commission.
- **Commissioner Gillespie:** Does she have an A-card, is she is taxi driver?
- **Ken Chan:** Yes she is a taxi driver.
- **Commissioner Gillespie:** She does not recall of getting any letters?
- **Ken Chan:** They were all sent to her old address. She has been moved for about 2 years now.
- **Commissioner Gillespie:** I would think she would have to go to the Taxi Commission office and request a time waiver. I'm willing to sever this one tonight and do that.
- **Commissioner Smith:** How long has she been a taxi driver? What company?
- **Ken Chan:** I do not know for such. She started driving a cab last year.
- **Commissioner Gillespie**: I'm willing to sever this tonight just because he is here asking for it but she is going to have to go to the Taxi Commission office to request a grant a time waiver and she should bring some proof of her driving and her A-card.
- **Steve Kay:** Tonight is the night that I'm going to get eliminated from the list and I originally became a cab driver in the early 90's and back then the rules were to drive five years full-time and that would qualify me to get a medallion. I did my five years and the rules have all changed since then and I am no longer able to get a medallion. So I want to say thank you for letting me be cab driver in San Francisco and thanks for the great experiences.
- **President Jackson:** Steve we thank you for being a part of our industry.

- **Barry Taranto:** I think it's a mistake just because the brother shows up and doesn't know anything about her cab driving. Why didn't she contact the Taxi Commission office if she is capable of driving a cab? We don't know what company she works for or if she even has a A-card. I hope there is a full investigation done because this sounds rather suspicious. Everybody else takes the time to write letters or call the Taxi Commission office. If she is driving a taxi then she can pick up a phone or write a note. Sounds like no one knows the situation. I ask to deny her this.
- **Vice Pres. Breslin:** I would like to sever Chan.
- **President Jackson:** We are going to sever #2 and hold it for the next meeting.

Approved applicant name(s) to be removed from the Taxicab/Ramp Medallion wait list:

Applicant Name	List #
1. Dan Bell	6-361
3. Harold L. Jones	6-368
4. Steve Kay	6-353
5. Cheryl Lee	6-357
6. Walter Lee	6-358
7. Tom Mori	6-389
8. Shawn Amireshani	6-283

Continued:

2. An L. Chan	6-362

E. Commissioner Gillespie motions to approve 4E 1&2 (Consideration of the Taxi Commission to grant a Time Waiver). Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Breslin; Jackson; Gillespie; McGuire; Paek; Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

PUBLIC COMMENT:

- **Barry Taranto:** Good evening Commissioners. I hope you had a chance to read the background material prepared so well by Vicky of the Taxi Commission office. If you read the description this is a first time waiver but she previously rejected a ramp taxi medallion. Then she was sent a letter offering a regular medallion on Sept. 8, 2000. The second notice was sent August 31, 2001 and then a Final Notice was sent Aug. 25, 2005. I ask you to hold this one until you have a discussion

on the agenda Item #8. It doesn't look like she really wants this medallion very badly and doesn't look like she has been driving because why has she waited 5 1/2 years.

- **Robert Cesana:** Good evening Commissioners. I would also ask that you do not discuss this issue until we have talked on Item 8. It seems we really can't decide what to do until we have decided what the rules are. I certainly have to back up because I have always protested that all these time waivers are pointless. I'm now reconsidering the whole position if through a disability or illness these people are unable to comply with the requirement at this time. It is possible that you would have to consider a waiver of the driving requirement as well as the time waiver. This is a very complicated issue.
- **Carl MacMurdo:** I just wanted to say that Virginia 's husband, Les, has a pre-k medallion and when Prop-K passed and he realized he couldn't allow her to have the medallion; he decided he wanted Virginia to become a cab driver to have her own. She has been out there every weekend for the past five years driving and I have seen her every time. She has put in hundreds of shifts and I think it's appropriate she be granted a time waiver.
- **Commissioner Gillespie:** Is Virginia here? Can you please come up forward? I have also seen you the last five years driving and my question is why are you asking for a time waiver? What aren't you qualified now?
- **Virginia Fuquay:** I do not have enough hours.
- **Virginia 's husband:** A lot of the shifts she short-shifted that is why she didn't accumulate enough hours but she is working full-time five days a week.
- **Commissioner Gillespie:** Requested to speak with other applicant. Motioned to approve the two requests.

Approved applicant names granted a time waiver:

Applicant Name
1. John Gargan
2. Virginia C. Fuquay

5. ELECTION FOR PRESIDENT AND VICE PRESIDENT OF THE SAN FRANCISCO TAXI COMMISSION

Commissioner Smith motioned to approve Arthur Jackson as President to the Taxi Commission. Commissioner McGuire seconded the motion. Motion passed 6-0.

AYES: Breslin; Jackson; Gillespie; McGuire; Paek; Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

- **President Jackson:** We are going to take nominations for President and then we'll take public testimony on that nomination. Then we will have nominations for Vice President and take public testimony on that. So you can speak on both.
- **Robert Cesana:** I really don't think you should be voting tonight because every single Commissioner's term has expired. I do understand that you are still technically Commissioners but I also understand there is great possibly that one or two of the Commissioners will be leaving us and I would feel happier if we had the election with new Commissioners rather than the existing set up which happens every year and I know its not your fault but the truth is a little unseemly.
- **Jim Gillespie:** I just wanted to make a comment that I think this is the toughest Commission in the city to rule over such controversial subjects. I want to commend President Jackson on the job he has done and being able to handle it. I support his re-election.

Commissioner Jackson motioned to approve Patricia Breslin as Vice President to the Taxi Commission. Commissioner McGuire seconded the motion. Motion passed 6-0.

AYES: Breslin; Jackson; Gillespie; McGuire; Paek; Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

PUBLIC COMMENT

- **Barry Taranto:** I'm not exactly sure that the President can actually do the nominations. It would be great to see someone else be the Vice President, I feel there is a conflict of interest between being the hotel council executive director and being a Taxi Commissioner. She has continuously defended the use of illegal taxis and limousines at hotels and has helped managers on what to write and say on policies. We need somebody who has less of a bias and more of an interest of improving cab service making sure business for cab drivers is preserved. I have not seen a lot of evidence here. I also heard rumor of replacement Commissioners in the future and it's best to keep this position open.
- **President Jackson:** City Attorney can I have an opinion if it's inappropriate to make a nomination if so I will withdraw
- **City Attorney Tom Owen:** I do not think there is any problem.

6. REVIEW OF THE METER RATE AND GATE FEE AND LEASE CAP LEGISLATION INTRODUCED BY SUPERVISOR MA

Commissioner Smith moved to continue Item 6. Commissioner Gillespie seconded the motion. Motion passed 6-0.

AYES: Jackson; Gillespie; Paek; Breslin; Smith; McGuire **NOES:** None

ABSENT: Kwok **RECUSED:** None

- **Bill Barnes:** Gave a brief summary and update on behalf of Supervisor Fiona Ma. The Supervisor introduced a ordinance about a month ago that included three features 1) an increase in fare, 2) reinstating the cap on lease fees, and 3) raising the gate cap from $85 to $94. Earlier today we introduced a new ordinance at the Board of Supervisors that does different things. We don't expect the Commission to make a decision tonight because it's a new proposal. Instead of a fare increase we propose a $1 fuel surcharge at the drop. We think it will be helpful for folks who take longer trips to make it more equitable. Under the proposal the fuel surcharge would sunset on Nov. 1, 2008 unless it was renewed.
- **President Jackson:** The Commission has already passed the surcharge on gasoline.
- **Director Machen:** This Commission is not at liberty to pass a surcharge.
- **President Jackson:** We have recommended, sorry.
- **Director Machen:** Yes. It was just a recommendation to the Board of Supervisor's to consider an increase in the meter taking into account the high price of gasoline.
- **Bill Barnes:** In the background information on page 2, what you will see is what the Controller recommended relative to a fare increase and gets you to $16.96 on the average ride. My understanding has been the Commission hadn't set an amount so when we were looking for an amount to put in here what we tried to is to find a fuel surcharge that was equivalent to what the Controller's survey recommended.
- **President Jackson:** Also at that time we were recommending that if the gas price were to go down that the surcharge would then decrease.
- **Commissioner Gillespie:** Also at that time gas was about $3.20 a gallon and it's gone below $2.70 now.
- **Commissioner Smith:** Gas has been going up and down and drivers are still suffering for it.

PUBLIC COMMENT

- **Barry Taranto:** I want to thank Bill Barnes for coming and doing this presentation tonight on behalf of Supervisor Ma. Only focus on the surcharge and to only look at meter increases tied to health care. I am concerned about the lease cap issue and I'm hoping that we can look at this, there is a imbalance of some companies giving a lot more money to medallion holders and this does create a uneven playing field.
- **Thomas George Williams:** Keep the gate cap in place if you want quality drivers. Gas surcharge should be flexible also.
- **Commissioner Smith:** Mr. Williams you are long term lease driver? How did you regulate your

gates as a long term lease guy?

- **Thomas George Williams**: Differs from cab to cab, we operated as a group so four people owned 1 cab and we split the expenses.
- **Commissioner Smith:** How were the gates established?
- **Thomas George Williams:** You would look at the monthly expense and establish a gate.
- **Commissioner Smith:** What was the average gate that everyone paid?
- **Thomas George Williams:** Between $80-85, sometimes $90, being the highest.
- **Eric Cragen:** I have been driving about 20 years and I'm a new medallion holder. I will limit my comments to the gate topping out; I drive for Arrow so I will only speak for larger companies. Our gates three nights a week are $117.50, if you don't have a gate cap where are we going from here with this. Just to break even we are talking $150 a night three nights a week that is ridiculous. Our gates two nights a week on the quieter nights are $78.50, that's a 50% difference in gates. We need a gate cap, companies do not take care of it, and raise it ever chance they get. The Commission was created to help the industry and not the companies. We are handing money to the companies and taking it away from the drivers once again.
- **Commissioner Smith:** Isn't that an average what the gates should be now.
- **Eric Cragen:** No, technically it's suppose to be $91.50. Sunday and Monday, the two quietest nights are $78.50, Tuesday-Wednesday are 91.50, Thursday-Friday-Saturday are $117.50.
- **Commissioner Smith:** Are there any other companies that charge cheaper gates.
- **Eric Cragen:** I'm sure there are.
- **Commissioner Smith:** What prevents you from going to those other companies?
- **Eric Cragen:** Better the evil you know then the evil you don't. Even then going to another company is not going to change it if you don't have a gate cap, they will raise it up. When I started it was 53.00, it has more than doubled now.
- **Mark Gruberg:** This is a complete gutting of the previous legislation. We had a discussion with Supervisor Ma and none of this was even remotely suggested. The city, the state, and the federal government all have a minimum wages, these are standard accepted protections for workers. The closest that cab drivers have to this is the gate cap. This was key recommendation of the Mayor's Taxi Task Force. If it were eliminated we would be back to the predatory practices that took place for the first 15 years I was in the industry when my gates went up year after year at double the rate of inflation and you can check that. Cab companies will charge whatever they please. Health care goes out the window if there is no gate cap. Any portion of the cost of health care that is placed upon cab companies or permit holders can be shifted back to the driver because there is no gate cap.
- **Carl MacMurdo:** Thanked Supervisor Ma and Bill Barnes for making the changes. The original proposal that had about a 14% rate increase would have made it difficult for a lot of people to take taxis. As far as gate control goes, the entire 15 years I was lease driver before getting a taxi medallion, I always yearned for the security blanket of having gate control and it was never there. Almost like clock work every year the company would raise the gates about $2 dollars and every

four years the regulators would allow for meter increase so drivers would get an extra $20 dollars. Every four year cycle the companies would go up by $8 dollars in their revenue and the drivers by $12 at the expense of the public. I think without a gate control, it allows certain companies to invest in Hybrids.

- **Robert Cesana:** I would like to make an explanation to what happened with Arrow. It's very simple, Yellow Cab on certain days would have $50.00 gates other days we have $120 gates. You still have a market place you have an average of $91 or something, demand differs on certain days. CNG and hybrids can be thrown out because no one in this industry is going to put out more money unless you allow flexibility in the gates. Don't you think somebody driving a hybrid that is saving $10 or $15 dollars a shift should pay an extra $5 or $10 dollars so we can buy more of those cars? The mayor wants 50 % of hybrids and CNGs in five years and I believe the only why he's going to get that is by not putting in a gate cap. You are not giving the companies the money to do it.
- **Ruach Graffis:** When the gate cap went into effective some of the gates were already $95-100 dollars they had gone up twice the rate of inflation. If they had gone up at the rate of inflation the way they did when we had a negotiated union contract the gates would have been $68-70 dollars. There was no political will at that time for such reduction and we got $83.50. This did effectively create a minimum wage for cab drivers; it still creates a basis to figure out what the long term lease driver should be paying. We do need the gate cap and the permit holder caps which is the thing that drives everything in this industry. We need to add a cap and not take one away.
- **Jim Gillespie:** With the limited time I want to address my comments to the gate cap. I don't know of any other city that regulates like we do in San Francisco. They are able to operate as a free enterprise; their gates are according to what their expenses are that isn't the case in San Francisco. We have never really had a gate cap until 8 years ago, in which gates did increase rapidly over a short period of time before new medallions were issued and the dot com bust. The gate cap was supposed to be a temporary means to stabilize the industry recommended by the Taxi Task Force that sunset within 14 months. At this point I think we need to take the advice of the Mayor and the Taxi Task Force and sunset the gate cap and allow companies to be able to meet their expenses. I don't think they will price themselves out of market. Majority of the companies that I have talked to including those in the SFTA said if the gate cap was removed they wouldn't raise gates. We hope you approve this.
- **Nathan Dwiri:** Price controls are a choke hold on quality and economics. We don't need it right now, if you think the mix is too rich then put out another 500 medallions. The quality cab companies are going to price themselves out the market so take away this choke hold.
- **Commissioner Gillespie:** Do you think there should be a price control on the meter?
- **Nathan Dwiri:** This is a matter for the city to control what people pay for service, but again we provide a service to the drivers and the service that Yellow cab provides in terms of the kind of vehicles and maintenance and opportunities to make good money are different then other cab companies. I feel we deserve a better price, if we can get it.
- **Commissioner Gillespie:** So your answer is we should control the meter price but not the gate price. You were on the task force which passed gate control, and that was because throughout the

90's the gates went up pretty much like clock work every six months at $5 and the meter never went up for almost nine years so Mr. McMurdo was wrong about his statistics. There were probably six or seven gate increases that happened without a meter increase when you get a $5 dollar gate increase on a 200 shift a year career that is a $1000 a year pay cut, we got five of those in a row that is why we have gate control. I don't understand why the city should be able to limit the meter price but not the price you would charge.

- **Nathan Dwiri:** I think the philosophy of the meter has to do with the public. They don't want the public to be cheated.
- **Commissioner Gillespie:** Do you agree with Jim Gillespie that most cab companies would not raise their gates if gate control was eliminated?
- **Nathan Dwiri:** I do.
- **Commissioner Smith:** Thanked Bill Barnes for his report. Feels there is too much price control and would like to pass the legislation on, as is, to Fiona Ma.
- **Commissioner Gillespie:** Feels if the repeal of gate control was on the agenda there would be hundreds of drivers at the meeting. This was the most important reform to come out of the Task Force was gate control and I don't where this idea came from. Agrees with Mark Gruberg this is way premature since a report is coming out from the Health Department that will detail the possibilities for health insurance for drivers including permit holders this should be talked about in the context of that. It's unfair for us to be restricted on what we can charge and most drivers are against a meter increase. I don't want to vote on this since we were given this tonight
- **Commissioner McGuire:** I agree with the speaker who commented not to assume that the free market is going to determine what the gates will be. Agrees with Commissioner Gillespie that we don't want the meter to go up, medallion holders pay full gates like everyone else. Suggests to continue this item since legislation is different. Questions Mr. Barnes if this is the only legislation that deals with a fuel surcharge.
- **Bill Barnes:** This is the only piece of legislation that is pending before the Board on these issues. We are ok with the Commission taking their time in making a decision. There is no other legislation related to a meter increase since there is not a lot of support from the drivers or the public but did understand a fuel surcharge so that is the direction we moved towards.
- **Commissioner McGuire:** I requested from the Executive Director a report on how much companies are charging for their monthly leases which I haven't received any response for. This should be tied in since there is no cap on that sort of arrangement which needs to be looked into.
- **Commissioner Breslin:** Thanked Mr. Barnes on bringing the Supervisors time table forward. I've heard tonight from the public that the cab has been compared to the rate of inflation which I don't agree because we are talking about the cab in relation to expenses. A flag increase to me has to bring that component of service to it; taking away the cap and giving the fuel surcharge go hand and hand to me. Would like to continue item since it is new information.
- **Commissioner Gillespie:** What are your impressions being here tonight Mr. Barnes?
- **Bill Barnes:** I understand it's a big issue and it is our expectation that when the Board actually considers it through the public hearing process given ample public discussion regardless of what

the proposals are. I would agree with more outreach there will be more of a turnout. Just to put on the record our time table is not to move with any sort of speed, it's our hope to move within the next two to three months but we want to give the Commission, the Mayor, and the Board of Supervisors opportunity to review this.

- **Commissioner Smith:** You mentioned that the cab drivers were in favor of a meter increase?
- **Bill Barnes:** What I recall saying was agreeing with Commissioner Gillespie that drivers that have contacted our office were not in favor.
- **Commissioner Smith:** The drop of the surcharge, drivers and the public were in favor?
- **Bill Barnes:** I think it's not something that we have run by a large number of drivers. Residents gave a sense that for longer trips a $1.00 is a better way to go than a fare increase.
- **President Jackson:** I think there is enormous support for fuel surcharge. To have the opportunity to review the new legislation, I will entertain a continuance for the next meeting.

7. PUBLIC COMMENT

- **Barry Taranto:** Gave series of announcements: May 15th is the opening of the 4th Street Bridge, March 30th is first day of pre-season baseball, and April 6th is the first Giants home game. Urged Taxi Commission to send out appropriate flyers to cab companies letting drivers know how to better serve the ball park together, and to urge the Fire Department Headquarters to allow taxis to use their curb space at night. Reported problems with serving the Hilton Hotel at 750 Kearny St, since there are no longer 3 cab stands it is now a tow-away zone.
- **Chuffa Tesfaye:** Would like to be reinstated correctly to the ramp/taxi medallion list back to the position he held in 2001.
- **Robert Cesana:** Recently Chris Daly and other Commissioners have been talking about restricting the number of parking places in new apartments which means whether it goes through or not we are reaching gridlock at certain times of the day. We have to have better cab service, 500 places at the ballpark. We need this to become a cab city and also have cab stands at every hotel.
- **President Jackson:** Commented to Director Machen on having a meeting with the ballpark.
- **Mark Gruberg:** Announced UTW's appeal of the Commission's decision to the Veteran's Cab corporate permit settlement. It is coming the board of appeals tomorrow and that settlement would cause Veterans to return 8 of its 17 corporate medallion and keep the rest in a formula that would allow some of those permits to operate for decades and it are our contention that those permits are null and void. It's at 5:00pm down the hall in Room 416 and encouraged drives to see cab drivers obtain medallions and Prop K properly enforced to come to this hearing in support of our appeal.

8. DEFINING ELIGIBILITY FOR TIME WAIVERS FOR MEDALLION WAITING LIST APPLICANTS

Commissioner Smith motions to continue item 8. Commissioner Gillespie seconded the motion.

Motion passed 6-0.

AYES: Breslin; Jackson; Gillespie; McGuire; Paek; Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

- **Director Machen:** As you all know the Board of Supervisors set a progressive schedule for driving experience the medallion list applicants must meet in order to qualify for a medallion. Under the law applicants being heard by the Commission must have been a full time driver for 1 year prior to 2005 by 2006 applicants have to have two out of the three last years driving experience, then applicants in 2007 must have driven 3 out of past 4 years. The requirement increases by 1 year for every passage of year through 2009 when five years experience is required. This Commission has established a policy of granting time waivers for 1 year if the person was a year short in meeting that driving requirement however this Commission did not limit this waiver to instances where a 1 year waiver could actually result in establishment of the required driving experience. If a driver must acquire 2 or more years experience then it's impossible to catch up in 1 year so what is before you today would limit those time waivers to only when it would actually make a difference for the person requesting it. The reasons for doing this is to not to create a false expectation from applicants who come before the Commission
- **President Jackson:** What we are saying is that granting the 1 year waiver was not guaranteeing access to the medallion therefore it is inappropriate if that person cannot achieve the driving requirement to give them a 1 year waiver which leads nowhere.

PUBLIC COMMENT

- **Barry Taranto:** Commended Director Machen on background memo on resolution. This is just a housekeeping matter since the Commission's policy conflicts with city ordinance so you need to correct your policy. People who don't even have an A-card and haven't even driven yet will be granted something that is useless. So I urge you to pass the resolution that was prepared by staff.
- **Carl MacMurdo:** Section 3 of Prop K has language that put responsibilities on the regulators to determine an applicant will be a cab driver. I think this Commission should amend the time waiver policy in a way that it would no longer be automatic and have standards to screen out none qualified people from time waivers. I have a problem with the proposal today and I recommend you to vote against it because there is another issue that needs to be looked at and that is legality of applying the Daly Ma criteria backwards on people who were situated on the list prior to the effective date of that legislation. I think there needs to be an opinion from an outside attorney.
- **Commissioner Smith**: Have you asked any outside opinions on this?
- **Carl MacMurdo:** I just know the first time in 1988 when the pre-permitting requirement came in for the 1 year they were not applied backwards and it took a decade for those to kick in, so that the first person subject to those was the first one that came on the list after the effective date of those rules. It's being done differently this time. I spoke with Commissioner Breslin about this and it turns out this advice is incorrect and you adopt this resolution and it turns out to be incorrect the city can be liable for millions of dollars in lease payments.

- **Commissioner Gillespie:** Asked if he felt it's not right or not legal? Why wouldn't it be right if we want real cab drivers getting medallions?
- **Carl MacMurdo:** Both. You can use the time waiver policy to screen out non qualified people without disadvangtaging other people.
- **Robert Cesana:** I don't think you should vote on the resolution. It's a question that you giving time waivers to medallion holders for sickness and other purposes. I believe that you have to have the same standard for people on the list, I have reversed completely on this. When I worked on the Daly Ma this was not a consideration, we did the best thing for the list so that only taxi drivers were on it.
- **Chuffa Tesfaya:** Has seen people that haven't worked asking for a waiver. If people are sick they should get a waiver but why are others getting it, because they don't want to drive. Commission needs to evaluate that and take medallions from fraudulent people.
- **Mark Gruberg:** Finds it interesting that Mr. MacMurdo is speaking is favor for not changing the rules for people when he and his organization are strongly in favor for the transferability proposal that would pull the many permit applicants who have waited many years. The proposal is a no brainer and there should be more flexibility somewhere in these rules since a permit applicant doesn't know when there name will come up.
- **Commissioner McGuire:** Before Prop K passed there was no driving requirement to get a medallion and in 1987 when it passed there was a driving requirement. People who put there name on the list before 1987 were grandfathered in. Would that apply here?
- **City Attorney Tom Owen:** The decision to grandfather in is a policy decision but it's not illegal for the Commission to have adopted the rules that it did and for the Board to have adopted the legislation that it did. The whole progression scheme was adopted with the impact on existing applicants in mind, it was made an easier hurdle to overcome for people in the early years and as time goes on people have time to meet the stricter requirement.
- **Commissioner Smith:** Would like an outside opinion on this issue.
- **Commissioner Gillespie:** I do agree it's a house keeping resolution not give people false hope of not filling the requirement. Surprised by opposition since group sponsored Daly Ma legislation and sees it as non-controversial in cleaning up Commission procedures.
- **Commissioner Breslin:** Would like two weeks to take a look at resolution and feels there should be more flexibility on issue.
- **City Attorney Tom Owen:** Time waiver is given per 1 year from the time it is granted, not a calendar year. Has other issues about accommodations.
- **Commissioner Breslin:** The progressive driving requirement is based on a calendar year.
- **President Jackson:** This particular resolution doesn't discuss the issues you are addressing. All the resolution says we are not going to give a one year waiver if you can't conceivably get a medallion.
- **Commissioner Breslin:** Can drivers not make up more than 800 hours of driving in year to make up or to even make up two years?

- **City Attorney Tom Owen:** You have to satisfy the requirements for each year. You can't do three years in one year for example.
- **Commissioner Breslin:** I would like to fall back on the fact that we won't decide on issues that came right before us in one night and continue for next meeting.
- **President Jackson:** I feel this not a new issue but just house keeping resolution.
- **Commissioner Gillespie:** Supports Commissioner Breslin and is willing to continue till next week.

9. STAFF REPORT

- **Director Machen:** Gave an update on the meetings she attended, legislative update, and correspondence received and sent.

Commissioner Smith has requested to calendar a discussion asking the Board of Supervisors to license bicyclists and that all bicycles have license plates. Request to calendar a meeting with Carmen Kern of weights and measures about any new regulations or rules. Also Commissioner Smith would like to have Carmen Kearns at the next Taxi Commission hearing.

PUBLIC COMMENT

- **Barry Taranto:** Thanked the Commission staff on preparing the minutes and feels they don't have to be as detailed since they are so thorough. Thinks it would be a waste of time for Commission to deal with this issue. Met with staff about the Caltrain issue because it is an important issue for the public. Concerned on the study and would like students to hold a informal discussion with drivers. Happy St. Patrick's Day.
- **Chuffa Tesfaya:** Spoke on reinstatement and asked Commission for a hearing time to clear up misunderstanding.
- **Commissioner McGuire:** Are you requesting a re-hearing?
- **Chuffa Tesfaya:** No I don't have any problems with discussion. I have been reinstated and the Director approved that. My problem is my position on the list.
- **Commissioner McGuire:** Isn't his decision from the hearing officer supposed to appear on our consent calendar?
- **Director Machen:** At the time when Mr. Chuffa made his request it was my final decision based on the hearing officer's findings and that it would not come before the Commission. The reason why is Mr. Chuffa made allegations about the Commission being biased.
- **Chuffa Tesfaya:** I have never said that, I have only had a problem with the previous Executive Director.
- **Commissioner McGuire:** I want to express my opinion. I agree with Mr. Chuffa should have his day. I have continually requested this Commission to re-calendar the item and they blew me off.

- **Robert Cesana:** The omission of the presentation of the Health Study at 11:00am tomorrow morning shows not only have we never been invited but we don't announce when it's being presented.
- **Commissioner McGuire:** Why was this important meeting not announced?
- **Director Machen:** The meeting is an initial briefing by the Health department and it's by invitation only. All the Commissioners have received an invitation to this.
- **Commissioner McGuire:** I called the Health Department and asked if I could inform other cab drivers or people that would be impacted by this and she said they are generally welcome to come.
- **Commissioner Gillespie:** I received an e-mail and it's a 10:00am at 101 Grove St. 3rd Floor in the auditorium. Inquired to item from staff report in relation to the Superior Court to Director Machen.
- **Director Machen:** I requested they set a bail schedule because cases of illegal limousines cannot go to Superior court until one is in place. I approached the court at the advice of the Taxi Detail and spoke with Jerry Washington.
- **Commissioner Gillespie:** I urge you to keep on following up with that. In regards to the Goldman School group meeting, the only invited Commissioner was Commissioner Smith who is a permit holder but out of eight people at that meeting seven of them were permit holders which is just wrong and unbalanced in terms of input to this group of people that is looking at the future of the taxi industry.
- **Commissioner Smith:** When you are counting those medallion holders that were at that meeting are you counting Mark Gruberg as one of the seven?
- **Commissioner Gillespie:** Yes
- **Commissioner Smith:** Who does he speak for, who is he representing?
- **Commissioner Gillespie:** Mark speaks for himself, he is permit holder.
- **Commission Smith:** The Goldman School invited several people, some couldn't make it. Mark could have gotten people there, he got John Paul Williams.
- **Commission Gillespie:** Where their any other Commissioners invited?
- **Commissioner Smith:** No, just me.
- **President Jackson:** We are not going to have an argument here that is it. (Gavel down)

10. Adjournment

Meeting adjourned at 8:48pm.

Respectfully Submitted,

Jaime Poblitz

Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
3/28/06

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MAR 27 2006
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March 28, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the March 14, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Health Care Plan for Drivers [INFORMATION]
6. Direction on Preparation of Meeting Minutes [DISCUSSION AND POSSIBLE ACTION]
7. Public Comment (Please limit public comment to items **not** on the agenda).
8. Hub Cap Advertising Presentation by Ad Fleet [INFORMATION AND POSSIBLE ACTION]
9. Review of the Meter Rate and Gate Fee and Lease Cap legislation introduced by Supervisor Ma [DISCUSSION AND POSSIBLE ACTION]
10. Defining Eligibility for Time Waivers for Medallion Waiting List Applicants [DISCUSSION AND POSSIBLE ACTION]
11. Staff Report [INFORMATION]
12. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Ali A. Abobakr	Mohamed A. Hassan	Erivelton Lopes	Alapati Sagote Jr.
Nabeel A. Alareeqi	Lamont E. Hayes	Khazrow M. Marzi	Sandra M. Sar
Saeed Alsalti	Jian W. Huang	Ramdane Mazira	Harwinder Singh
Mohd S. Alzubi	Zhi C. Huang	Elias W. Mehari	Myint Than
Zaw Myint Aung	Kumar B. Karmacharya	Enivaldo V. Nunes	Aleksandr Toporovskiy
John A. Beall	Mustafa Kart	Paul A. O'Leary	Jimmy Tran
Kevin Chan	Jaafar M. Kouriss	Yassine Ouassif	Sein Min Tun
Kenneth J. Craig	Leonard P. Kovlak	Jose L. Pereira Alvarez	Achhru R. Virdi
Harry H. Daitaoku	Abdelkader Lakhdim	John A. Pizzuro	Solomon A. Worke
Mario J. Giordano	Steven A. Landau	Ryan J. Price	Nidal A. Zaro
Huyen X. Guyen	Philip Lo	Adel M. Radwan	Jia Jie Zeng

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Cab#	Change
1. Austin Brice James	825	Sunset Cab to Bay Cab
2. Osama M.I. Awwad	9051	Yellow Cab to Royal Taxi
3. Jamshid Eslam Khajvandi	481	Luxor Cab to Yellow Cab
4. Phillip Q. Tran	1118	Luxor Cab to Yellow Cab
5. Dat V. Nguyen*	837	Arrow Cab to Bay Cab
6. Cuong Hung Tran**	1251	Luxor to SF American Cab

**Continued from 3/14/06*
***Continued from 2/28/06 &3/14/06*

C. Recommendation of the Taxi Detail for consideration from the Taxi Commission to grant a Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Cab #	Color Scheme
1. Harry L. Garver	754	Yellow Cab
2. Bon N. Huey	1175	Regents Cab

D. Taxi Detail recommends the Taxi Commission to make the following applicants ineligible for a **Ramp** Medallion for failure to respond after noticed attempts or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. John P. Sanchez	6-444
2. Vincent J. Williams	6-450
3. Bruce Fehling	6-456
4. Thomas Winz	6-458
5. Philip A. Teri	6-460
6. David O. Klampert	6-464
7. Freydoun H. Toloui	6-465
8. Victoria Lansdown	6-469
9. Behailu Mekbib*	6-474

**Declined ramp medallion & phoned Taxi Commission*

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E. Taxi Detail recommends the Taxi Commission to consider applicants ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Mortimer Joyce*	6-195
2. An L. Chan**	6-362

**Continued from December 13, 2005, applicant submitted letter withdrawing his request for a time waiver*
Continued from March 14, 2000,* ***applicant is on Notice for a time waiver request

F. Taxi Detail recommends the Taxi Commission to consider removal of deceased applicant name(s) from the Taxicab/Ramp Medallion waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Lung M. Lem	6-388
2. Leland W. Stephens	6-375
3. Lee J. Williams	6-373
4. Arthur Clark	6-495
5. Eugene Larkin	6-486
6. Allan Thompson	6-490
7. Michael Welch	6-488

G. Consideration of the Taxi Commission to grant a Time Waiver to:
1. Meseret Y. Mekonnen*

**Continued from January 24, 2006*

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 11, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. TAXICAB PERMIT HOLDER:
1. Yale Feder

2. COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. Stephen H. Saw	1289	DeSoto Cab to Union Cab
2. Mizan Rahman	1113	Luxor Cab to Yellow Cab

B. Consideration of the Taxi Commission to grant a Time Waiver to:
1. An L. Chan, List# 6-362

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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San Francisco Taxicab Commission

March 28, 2006

MINUTES

Commission Chambers – Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

March 28, 2006

6:30PM

Regular Meeting

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MAR 27 2008

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Present: Breslin; Gillespie; Kwok; McGuire; Smith

Absent: Jackson; Paek

VICE PRESIDENT BRESLIN CALLED THE MEETING TO ORDER AT 6:36PM.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Vicky Siu – Taxi Commission; Se Vincent Simpson – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**
3. **CONSIDERATION OF THE MINUTES for the MARCH 14, 2006 TAXICAB COMMIS**
   [ACTION]

   Commissioner Smith motions to approve the minutes. Commissioner Gillespie seconded Motion passes 4-0.

   AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

   ABSENT: Jackson ; Kwok
   None

   PUBLIC COMMENT: No public comment.

4. **CONSIDERATION OF THE CONSENT CALENDAR** [ACTION]

   A. Commissioner Smith motions to approve 4A (Recommendation of the Taxi Detail for Public Passenger Vehicle Driver Permits). Commissioner Gillespie seconded the moti 4-0.

   AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

   ABSENT: Jackson ; Kwok

None

Approved Public Passenger Vehicle Driver Permits:

Ali A. Abobakr	Mohamed A. Hassan	Erivelton Lopes	Al Sa
Nabeel A. Alareeqi	Lamont E. Hayes	Khazrow M. Marzi	Sa Sa
Saeed Alsalti	Jian W. Huang	Ramdane Mazira	Ha Si
Mohd S. Alzubi	Zhi C. Huang	Elias W. Mehari	My
Zaw Myint Aung	Kumar B. Karmacharya	Enivaldo V. Nunes	Al To
John A. Beall	Mustafa Kart	Paul A. O'Leary	Jir
Kevin Chan	Jaafar M. Kouriss	Yassine Ouassif	Se Tu
Kenneth J. Craig	Leonard P. Kovlak	Jose L. Pereira Alvarez	Ac Vi
Harry H. Daitaoku	Abdelkader Lakhdim	John A. Pizzuro	So W
Mario J. Giordano	Steven A. Landau	Ryan J. Price	Ni Za
Huyen X. Guyen	Philip Lo	Adel M. Radwan	Jia

PUBLIC COMMENT: No public comment.

B. Commission Gillespie motioned to reject 4B1 (Color Scheme Change for Medallion# Commissioner McGuire seconded the motion. Motion passes 4-0.

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

Commissioner Gillespie motioned to reject 4B5 (Color Scheme Change for Medallion #83 McGuire seconded the motion. Motion passes 4-0.

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

Commissioner Gillespie motioned to continue 4B6 (Color Scheme Change for Medallion# Commissioner Smith seconded the motion. Motion passes 4-0.

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

Commissioner Smith motioned to approve 4B2, 3 & 4 (Color Scheme Change for Medallic 1118). Commissioner Kwok seconded the motion. Motion passes 4-0.

AYES: Breslin; Kwok; McGuire; Smith **NOES:** Non

ABSENT: Jackson **RECUSED:** Gille

Approved Color Scheme Changes:

Medallion Holder	**Cab #**	**Change**
2. Osama M.I. Awwad	9051	Yellow Cab to Royal Taxi
3. Jamshid Eslam Khajvandi	481	Luxor Cab to Yellow Cab
4. Phillip Q. Tran	1118	Luxor Cab to Yellow Cab

Rejected Color Scheme Changes:

1. Austin Brice James	825	Sunset Cab to Bay Cab
5. Dat V. Nguyen *	837	Arrow Cab to Bay Cab

Continued:

6. Cuong Hung Tran	1251	Luxor to SF American Cab

- **Executive Director, Heidi Machen :** Recommends the Commission reject the colo to Bay Cab for the following reasons: 1. Bay Cab has not had workers' compensatior 2004. 2. Bay Cab is delinquent on their color scheme permit fee, they owe over $3C Cab is on probation and owe fines of up to $2300.00 to the Board of Appeals.
- **Comm. Gillespie :** Recused himself from # 2, 3 & 4.
- **ED , H. Machen :** For the color scheme change for Medallion# 1251 from Luxor to S the Taxi Commission office has an ongoing investigation on this medallion holder anc item to be continued to the call of the chair.
- **Vice Pres. Breslin :** How many employees did Bay Cab have while their workers' cc

not in effect?

- **ED , H. Machen :** They have had between 65-85 medallions at their company.

PUBLIC COMMENT

- **Roger Cardenas , Bay Cab:** We're trying to resolve the issue with workers' comper would like to continue this to another meeting.
- **Comm. Smith :** Austin Brice James and Dat Nguyen, are they single shift drivers?
- **R. Cardenas :** Yes they are but they wouldn't take their applications without worker I'm going to resolve the issue and I need to resolve the outstanding bill on the worke
- **Comm. Smith :** Couldn't you have signed a waiver for him that he's single shift driv
- **R. Cardenas :** He can do that himself because he's the one who's going to single sh
- **Comm. McGuire :** When you say you're negotiating another policy, is that singular
- **R. Cardenas :** I'm getting a policy for the company as a whole.
- **Comm. McGuire :** Can you explain the policies that you've been turning in?
- **R. Cardenas :** I didn't make the rules, the rules were made by the Commission and the numbers then take the numbers off.
- **Comm. McGuire :** Yes but you submitted a policy when you had no policy.
- **Vice Pres. Breslin :** Are you intending to single shift?
- **Austin Brice James :** Yes
- **Dat Nguyen :** I'm a full time driver for 27 years and I want to switch to Bay Cab be drive by myself.
- **Comm. Smith :** I want to state that Mr. Nguyen drives all the time and he's always to motion to approve the color scheme change as long as they sign a waiver that the shift driver.
- **Vice Pres. Breslin :** Seconded the motion.

Roll Call:

- **Comm. Smith :** Yes; **Comm. Gillespie:** No; **Comm. Breslin :** yes; **Comm. McGuir**
- **Comm. Gillespie :** I motion to continue this until our Executive Director is satisfied with Bay Cab are resolved.

Discussion ensued, including the following points:

- Director Machen clarified that she suggested to reject the color scheme changes for tl reasons-repeated reasons. In response, Commissioner Gillespie withdrew his motion reject B1and B5. Commissioner McGuire added that if fees are not paid and if we vo color scheme, it would be wise to be adding cabs.
- Vice President Breslin inquired whether applicants will lose their money if they contin until Bay Cab resolves their problems. Director Machen responded that applicants wi and will have to pay again to change to a different company.

- Commissioner Gillespie motioned to reject the color scheme change for B1. Commis: seconded. Roll Call: Comm. Smith : Yes; Comm. McGuire : Yes; Vice Pres. Breslin : Gillespie: Yes
- Commissioner Gillespie motioned to reject the color scheme change for B5. Commis: seconded.
- Commissioner Gillespie motioned to continue B6. Commissioner Smith seconded.
- Commissioner Gillespie moved to continue items B2, 3 and 4 until Commissioner Kw Jackson arrive.

Commissioner Kwok is in attendance to vote on B2, 3 and 4.

- Commissioner Smith motioned to approve B2, 3 and 4. Commissioner Kwok seconde

C. Commissioner Gillespie motions to approve 4C2 (Consideration of the Taxi Commiss Taxicab Medallion Holder Permit to Bon Huey). Commissioner Smith seconded the m passes 4-0.

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

Commissioner Smith motions to approve 4C1 (Consideration of the Taxi Commission to g Medallion Holder Permit to Harry L. Garver). Commissioner Kwok seconded the motion. 4-0.

Commissioner Kwok is present to vote on 4C1.

AYES: Breslin; Kwok; McGuire; Smith **NOES:** Non

ABSENT: Jackson **RECUSED:** Gille

Approved Taxicab Medallion Holder Permits:

Taxicab Permit Applicant:	Cab #	Color Scheme
1. Harry L. Garver	754	Yellow Cab
2. Bon N. Huey	1175	Regents Cab

- **Comm. Gillespie :** I recuse myself from 4C1.
- **Vice Pres. Breslin :** We will wait for Commissioner Kwok to arrive to vote on 4C1.

PUBLIC COMMENT: No Public Comment.

D. Commissioner Gillespie motions to approve 4D (Consideration to make the following ineligible for a Ramp Medallion for failure to respond after noticed attempts or for de Commissioner Smith seconded the motion. Motion passes 4-0.

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

Applicants no longer eligible for a Ramp Medallion:

Applicant Name	List #
1. John P. Sanchez	6-444
2. Vincent J. Williams	6-450
3. Bruce Fehling	6-456
4. Thomas Winz	6-458
5. Philip A. Teri	6-460
6. David O. Klampert	6-464
7. Freydoun H. Toloui	6-465
8. Victoria Lansdown	6-469
9. Behailu Mekbib *	6-474

**Declined ramp medallion & phoned Taxi Commission*

- **Comm. Gillespie :** I motion to approve 4D.
- **Comm. Smith :** Second.

PUBLIC COMMENT: No public comment.

E. Commissioner Gillespie motions to approve 4E1 (Consideration to make applicants i remove applicant name(s) from the Taxicab/Ramp waiting list). Commissioner Smit motion. Motion passes 4-0.

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

Applicants removed from the Taxicab/Ramp Taxi waiting list:

Applicant Name	List #
1. Mortimer Joyce	6-195

Continued:

Applicant Name	List #
2. An L. Chan	6-362

PUBLIC COMMENT:

- **Barry Taranto :** If you recall, An Chan's brother showed up at the last meeting and where she was. According to staff report, she just applied for a permit to drive a cab she never held a permit. It would be good to ask her what her intent about driving is drive two years in one year to meet the two year driving requirement.
- **Comm. Smith :** She's up for consideration at the next meeting, should we continue
- **Comm. Gillespie :** I move to accept E1 and remove Mortimer Joyce 's name from th
- **Comm. Smith :** Second.
- **Comm. Smith :** I motion to continue E2, An Chan.
- **Comm. Gillespie :** Second.

F. Commissioner Gillespie motions to approve 4F (Removal of deceased applicant name Taxicab/Ramp Taxi waiting list). Commissioner Smith seconded the motion. Motion

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

Deceased applicant names removed from the Taxicab/Ramp Taxi waiting list:

Applicant Name	List #
1. Lung M. Lem	6-388
2. Leland W. Stephens	6-375
3. Lee J. Williams	6-373
4. Arthur Clark	6-495
5. Eugene Larkin	6-486
6. Allan Thompson	6-490
7. Michael Welch	6-488

PUBLIC COMMENT: No public comment.

G. Commissioner Gillespie motioned to approve G (Consideration of the Taxi Commissi Waiver to Messeret Mekonnen). Commissioner Smith seconded. Motion passed 4-0

AYES: Breslin; Gillespie; McGuire; Smith **NOES:** Non

ABSENT: Jackson ; Kwok
None

5. HEALTH CARE PLAN FOR DRIVERS [INFORMATION]

- **Jean Fraser :** I run the San Francisco Health Authority which does business with Sar Plan. We are here today to present a report from the San Francisco Health Plan Com with the San Francisco Department of Public Health which goes over how it might be establish a San Francisco Taxi Driver Health Care Coverage Program. Presented a sy health care plan.
- **Ken Jacobs , Center for Labor Research and Education:** Presented cost models voluntary versus involuntary plans.

Discussion ensued, including the following points:

- Commissioner McGuire is concerned that if there is a fare increase which is designate the drivers may put that money in their pockets. Mr. Jacobs states that there would mechanism where drivers are required to pay that money into the health plan. They to look at the financing and did not address the administrative side of this.
- Commissioner McGuire feels anyone can drive 25 shifts and qualify and it will be com there is an influx of drivers going in and out of the industry. In response, Ms. Fraser would be a policy decision that the Commission would have to make. Vice President this will be something they will determine later.
- Commissioner Gillespie states that he found health care workers are heavily subsidiz replies that they are subsidized by the local and federal government. Commissioner what the problem would be if they incorporate this. Feels it's so important to do this advocate for a mandatory driver participation. Urges commissioners to support this. that they did not model any City contribution into this. Their goal is to be completely paid so the working group had something to work with.
- Commissioner Gillespie inquires if they could include family coverage. Ms. Fraser rep not have any information about dependants and would need data about what the dep like. Commissioner McGuire mentions that kids are covered under Healthy Kids. Ms. most kids are covered if they live in San Francisco.
- Commissioner Smith asks if the salary figures came from W2's or tax returns. Ms. Fr the incomes were self reported salaries from the controller's report.

PUBLIC COMMENT

- **Mark Gruberg :** It is a disgrace that we don't have universal health care. Cab drive people and most can't afford health care. This report shows health care is doable.
- **Thomas George Williams :** This health care report shows one important thing: it i to get health care. It's not inexpensive. I posted a link of the health plan on our wel

www.utw.us.

- **Emile Lawrence :** In favor of the health plan even though he has his own plan. Ma 1. Plans are expensive. 2. A driver's income is low. 3. Health care should compa other municipal driver.
- **Dave Barlow , United Taxicab Worker's:** In favor of the health plan. The San Fra is smart because it gives HMO coverage at an affordable price. They understand mec integrate with the Healthy Children's program.
- **Robert Cesana :** Feels the statistics are garbage because UTW didn't invite anyone side to talk about it. The burden of this health plan is approximately five drivers for so this is approximately $1000 per month per medallion. Feels it will be good to hav but we need to be honest.
- **Olafur Gudjonsson :** Feels the concept of universal health care is an extreme socia looking at it. It's ethical but it also needs to be a win-win situation for all. He's looki maybe medallion holders can pay for the cost of the gate fees as well or cost can be owners of gas powered cars. Feels the public would be motivated if it were made a p increase the cab fare by $0.05.
- **Eric Craigen :** States that the only people that are talking against health care are o have health care. If they didn't have health care, this would be a different story. Fe have been done a long time ago.
- **Ilene Levinson , Dublin Insurance Svc.:** She's here from the Dublin Insurance Se option to the proposed San Francisco Health Plan. She's been an employee benefits specialist in San Francisco for 23 years. They have a base plan, an enhanced plan ar Kaiser would be the most expensive cost. The plan would include first dollar coverag would not be out of pocket cost to the drivers when they do seek health care. Denta benefits have been built into the program. Estimated gross cost of the program rang the base plan to $320 for Kaiser plan.

Discussion ensued, including the following points:

- Commissioner Smith asked what the base plan would cover. Ms. Levinson replied th be developed based on further information but see it covering preventive care, surge hospitalization, drug coverage, prescription drug coverage-all the basics. A limited p to a comprehensive plan with certain maximums to make health coverage more affor
- Commissioner McGuire inquired if they would need a minimum amount of drivers to response, Carrie Winsten (Dublin Insurance Svc.) stated that they are versed at the and the tracking eligibility and of the hours, warning letters, etc. They have 150 lan 800 #'s aiding in health assistance and health advocacy. They understand the IHSS
- Commissioner Gillespie states that he would like to put them on the next agenda anc information. Vice President Breslin agrees. Ms. Winsten states that one of the mod roll out within a week or two if we needed to.
- Commissioner Smith asks if a driver could form a bank type system and get a blanke buy it like a policy. Ms. Winsten replied that they can do that.
- **Tariq Mehmood :** Said the proposal is very good for health care. There are issues has been mentioned in the analysis. It looks like the data is not correct. Also asks w will come from.
- **Joe Mirables :** A driver for 30 years, states the health plan is long overdue and is h

coming. Asks what will happen if you already have a health plan.

- **Comm Gillespie :** States that during the A-Card renewal, you could probably show insurance.
- **Vice Pres. Breslin :** Adds that there will be a way to prove you have health insuran which proposal we choose.
- **Carl Macmurdo :** This is a first rate quality report. The City of San Francisco is app thirty people to a hundred day study and it's called the Universal Health Care Council due at the end of May. I've paid my own premiums and as an independent contracto anyone to pay it for me. With that said, I would love to see universal health coverag society.
- **John Nakis :** Feels the report has flaws. The statement that says a medallion holde $1800/month is not accurate. At DeSoto Cab Company, the permit holder earns $30 of the month because they're forfeiting their own gates. At Yellow Cab, it goes down a report that didn't consult anybody only a small group.
- **Ruach Graffis :** Believes the last speaker was subtracting the amounts that he pays permit holder who has to work has to pay gates and in some companies they pay mu than the working driver does. States that she noticed Carl Macmurdo, President of S Permit Holders and Driver's Association, was listed as having personal communicatio working on this plan. This plan is not perfect but it's about time.
- **Vice Pres. Breslin :** Thanked the individuals responsible for creating this report.
- **Comm Gillespie :** Adds that he does not want this to be something that disappears. establish a working group on this that should involve people in the taxi industry as w the Board of Supervisors, Mayor's Office and maybe even the general public.
- **Comm. Smith :** Now that we've seen Dublin Insurance, this would be a good time, i and covers a lot more for cab drivers as groups. They should form their banks and g coverage.

6. DIRECTION ON PREPARATION OF MEETING MINUTES [DISCUSSION AND POSSIBI

- **Executive Director, Heidi Machen :** Introduced Patricia Breslin 's item. Went ove requirements of what should be included in the minutes and stated that the Taxi Con goes beyond the minimum requirements of recording the minutes with respect to the and comments from Commissioners.

PUBLIC COMMENT

- **Barry Taranto :** Complimented staff on a great job on the minutes. States the disc place when all Commissioners are present. If anyone wants more detail, they can go audio tape.
- **Carl Macmurdo :** Feels the minutes are almost a transcript and is way over the top much work the Commission staff is putting into it and feels they should cut back and Wants to see the financial information for medallion applicants redacted.
- **Vice Pres. Breslin :** She wanted to discuss this item to give some recommendation

formal.

- **Comm. Gillespie :** At first there was little detail. Feels minutes are fairly well syno wouldn't make any changes. Thinks staff does a great job.
- **Comm. McGuire :** Inquires why is this item is on the agenda?
- **Vice Pres. Breslin :** States she requested to it because she felt there was an imbal regarding the Prop K discussion. There were very few Commissioner comments.
- **Comm. McGuire :** Feels minutes are readable but did notice a couple things that sh missing but states that it could get lengthy if you include every comment. Likes the agrees with Commissioner Breslin.
- **Comm. Kwok :** States staff has done a good job and the purpose is to address the r Commissioners and the public. If at anytime a point is missed, it's the Commission a job to correct this.
- **Vice Pres. Breslin :** Expressed that the Executive Director is correct of what the mi requirement is and staff is doing good job but when there's a strong debate about so omission in the minutes doesn't serve the public any good. She's unsure whether or consuming for staff to do a summary, rather than a transcript, and wouldn't want to burden to minimize the minutes but states her point is to try to make a balanced mir
- **ED , H. Machen :** Replies that there are two separate minute takers and two separa not think it's more work one way or the other.
- **Vice Pres. Breslin :** She will leave the presentation up to staff. But requests that v issue that contains opposing statements, that all the different comments are represe

7. PUBLIC COMMENT

- **Mark Gruberg :** States that Commissioners should not go out in the hall to have a p conversation during a meeting. Addressed the recent decision from the Board Of Ap the Commission's decision to approve the settlement with Veteran's Cab Company. I cheated in respect that they never had a public hearing. Urges the Commission to lo corporate permit situations.
- **Robert Cesana :** Said the Commission spends too much time on past issues. Menti doing a survey on the feasibility of charging a fee for cars coming into the city becau we need more taxis.
- **Thomas George Williams :** We need you to make plans to make us really part of p transportation. MUNI doesn't take us seriously, we still get tickets at bus stops. We' public transportation. There are no phones for people to call cabs. We don't have ca stations. We still have the limo problems. I want an investigator from the Taxi Com job.
- **Tesfaye Chuffa :** States, in 2001 he had a mood disorder and was recovering from i he has the mood disorder again because of unfair treatment. Last time the Executive took my case because I said this Commission is biased and racist, that was forced. V Commission, I mean the Executive Directors. She has never talked to me since she t for two minutes.
- **Ruach Graffis :** Again, UTW's website is: www.utw.us. You can see the entire City's

our site.

8. HUB CAP ADVERTISING PRESENTATION BY AD FLEET [INFORMATION AND POSSII

- **Ian Clauson , President of Ad Fleet Advertising:** We have submitted presentatio Commissioners with a letter outlining our experience. We have been in operation for years. We work with hundreds of taxicabs in many different cities and work only witl advertising and have an excellent reputation.
- **Vice Pres. Breslin :** We'll take public testimony first and then ask you questions.

PUBLIC COMMENTS

- **Corey Lamb :** My one concern is that we are over inundated by ads. We can have s advertising and this is something that is more appealing for someone to vandalize th generate revenue but the person who's requesting the advertising could potentially w because the hub cap is missing. It seems like a waste of money.
- **Thomas George Williams :** Last time we saw a safety issue with the window adver see a safety issue with hub caps, I hope. As an idea, to make this good for all driver advertisers contribute to the health care plan?
- **John Moravelay :** I dislike the look and commercialization of these wrap-arounds. my opinion against using advertising in San Francisco on hub caps and just in case a about it, no advertising on head lights either.
- **Comm. Kwok :** We need to come up with a standard for advertising. We need some my business point of view, you're looking for a mid-market and here to make money do for the industry, does it go to the company or driver?
- **I. Clauson:** We do enter into contractual relationships with the taxi fleets. We deal and fleet operators in the five markets that we're in. Often fleets do hand the money sometimes they don't. We don't have power make the money go to the drivers.
- **Vice Pres. Breslin :** Can you address the hub cap theft?
- **I. Clauson:** Hub cap theft doesn't exist. It's more of a wheel cover than a hub cap. itself locks on and doesn't extend out of car and you can't get it off. The advertising it. It's made of a glass poly-composite.
- **Mary Pat Holt :** A lot of people think the ad is distracting but the ad does not spin, you have a flat tire, each car has a key to take the ad off to change the tire. It woul industry who gets a key-sometimes everyone gets one and other times a key goes to
- **I. Clauson:** We found that other cities prefer this form of advertising because it's nc you don't need to drill, it's maintenance free and easy.
- **Comm. Gillespie :** In the past when we had wrapped advertising we had a program would go to taxi fund. Would be contributing a portion to that fund?
- **I. Clauson:** Absolutely. If there is interest to run public service announcements on fleets, we would do that on an ongoing basis. We'd be willing to open our books on a to have a prior agreed upon amount for such a fund.
- **Comm. McGuire :** Who's responsible for damage?

- **M.P. Holt :** I handle all the operations for the company. When an advertiser does pr above the amount at our cost to replace hub caps that are scratched or dirty. We ha we can share that shows how many times we inspect each cab per week. We have a inspect cabs and make sure they're clean and not damaged. The drivers are not resp damage, we cover all of that. We don't want to inconvenience the drivers. It takes 1 install and after that, 2 minutes to change a hub. There's no down time for the vehic
- **Vice Pres. Breslin :** I'm interested in public service messages even if it says: "Take want to see a proposal as to what type of incentive you're going to give to a driver's intrusive. Whether or not there are conflicting messages, that's up to the advertisers
- **M.P. Holt :** Many of the cabs that have the tops are under a contract with another v going to interfere with those contracts. We don't want competing ads, we're only loo do not have the tops or wraps.
- **Comm. Gillespie :** I would like to see a pilot proposal, how many cabs you want an you're willing to contribute on a monthly basis. Also, President Jackson has strong vi advertising, before we make a decision, he should be there. As someone who's agair least objectionable. I can even support it if I can see that it will support our taxi driv
- **Comm. Kwok :** I'd like to make sure that we have information about the driver ben have clear data. Also, if you can give an update every few months and increase your way we can show the public what this will benefit. Also, be sensitive to local busines them a discount.
- **M.P. Holt :** We will be having a shop and vans here and open a corporation here an taxes and have workers' compensation. We're a serious business and I think you'll b how we perform.

9. REVIEW OF THE METER RATE AND GATE FEE AND LEASE CAP LEGISLATION IN1 SUPERVISOR MA [DISCUSSION AND POSSIBLE ACTION]

- **Vice Pres. Breslin :** I know people have been waiting for items 9 and 10 and I will comment but without President Jackson here, how time sensitive is the meter rate ar Supervisor Ma's legislation? I can go forward with these but I'd like to hear if the Co the other Commissioners present.
- **Executive Director, Heidi Machen :** Supervisor Ma is waiting on the Commission a so.
- **Comm. Gillespie :** I suggest continuing this. People should understand that if they won't be able to speak again later.
- **Vice Pres. Breslin :** If there is any public testimony on this item, this is your only s

PUBLIC COMMENT: No public comment.

10. DEFINING ELIGIBILITY FOR TIME WAIVERS FOR MEDALLION WAITING LIST A [DISCUSSION AND POSSIBLE ACTION]

- **Vice Pres. Breslin :** Will continue this to the next meeting.

PUBLIC COMMENT: No public comment.

11. STAFF REPORT [INFORMATION]

- **Executive Director, Heidi Machen :** Gave an update on the meetings she attende(correspondence received and sent.

  Commissioner Smith wants a letter sent to the San Francisco Police inquiring about h encouraging greater vigilance and enforcement. He would also like a memorandum t them to slow down, don't force left turns and pedestrians have the right of way while Also he requests to have a designated person working for the cab fleets to assist Poli the security cameras in the cabs.

  Finally, I would like to note that the Police apprehended a suspect in a robbery series

- **Sgt. Vince Simpson :** We downloaded some images and those images allowed us t information bulletin posted to the district station units and they were able to identify who's currently in custody. We're still investigating other possible robberies that ma same suspect and happened in the East Bay and Marine. We're only getting about o three cameras with images. We're looking into that with our CSI Unit and Robbery D hopefully we'll come up with a recommendation to try and get better enhancement a from the companies and get better cameras to get the images downloaded.

PUBLIC COMMENTS

- **Robert Cesana :** Requested the Tax Collector staff accept A-Card renewals by mail others pay for them.
- **Thomas George Williams :** Security cameras, are not inspected. You should requi inspection to test the cameras to make sure they work. At the Cal Train Station, it s doesn't want to work with us.
- **Tesfaye Chuffa :** When one Commissioner recommends an agenda item, it's accep someone else gives a recommendation, it's rejected. Last time Commissioner McGui that I be given a hearing time and that meeting was disrupted. You have to give me time per her request.
- **Vice Pres. Breslin :** This is staff report, how is your comment related?
- **T. Chuffa :** Yes, Commissioner McGuire asked for items to be put on the agenda. L Commissioner McGuire asked that I be given a hearing but you disrupted it because people here who don't accept my rights. Let me get a hearing time.
- **Vice Pres. Breslin :** Since that was Commissioner McGuire 's agenda item, I'm sure up.
- **Comm. Gillespie :** There was a recommendation to do something about the white b

cameras which was throwing off a lot of drivers. I hope we follow up with a recomme to do with that, I think that's causing a lot of problems. I am also confused about Cc 's letter, the one you're asking our staff to write.

- **Comm. Smith :** I almost got hit four or five times. They are not slowing down. I ar to send memorandum to the color schemes asking them to slow down because peopl way. A safety reminder.

12. ADJOURNMENT

Meeting adjourned at 9:09pm.

Respectfully Submitted,

Vicky Siu

Office Coordinator

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
4/11/06

April 11, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the March 28, 2006 Taxicab Commission Meeting [ACTION]
4. Consideration of the Consent Calendar [ACTION]
5. Weights and Measures [INFORMATION AND DISCUSSION]
6. Health Care For Drivers Analysis from Private Sector [INFORMATION AND DISCUSSION]
7. Public Comment (Please limit public comment to items **not** on the agenda).
8. Hub Cap Advertising Presentation by Ad Fleet [INFORMATION AND POSSIBLE ACTION]
9. Review of the Meter Rate and Gate Fee legislation introduced by Supervisor Ma [DISCUSSION AND POSSIBLE ACTION]
10. Defining Eligibility for Time Waivers for Medallion Waiting List Applicants [DISCUSSION AND POSSIBLE ACTION]
11. Staff Report [INFORMATION]
12. Promoting Shift Change and Waybill Accountability [DISCUSSION AND POSSIBLE ACTION]
13. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Zebenay G. Aycheh	Marshall W. Behm	Jamal E. Chakri
An L. Chan	Kenny Cheng	Duc K. Cun
Joseph P. De Paoli	Jose E. Diaz	Emmanuel I. Ejimadu
Artur A. Emmanuilov	Samuel N. Gathairu	Yucel Gelebek
Erik T. Hattan	Eng Ho	Rolando N. Javier
Harry R. Kinzey	Victor Kvashin	Kyaw M. Lay
Vartan Lazarev	Nanda Maung	Beyene A. Mengistab
Mahood A. Mihtar	Gentian Muzhaqi	Hoihang Ng
Tai Nguyen	Blago A. Ognianov	Danny L. Parker
Joseph L. Partida	De ora C. Pires	Billy K. T. Pun
Abdulhameed M. Radman	Sngel M. Serrano	Roshan Shakya
Livia S. Silva	Gurdial Singh	Harpal Singh
Tun A. Soe	Samson M. Tesfamariam	Bryan J. Welch
Sai Ying Yu	Touradj Zamani	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:	Note:
1. Stephen H. Saw	1289	DeSoto Cab to Union Cab	N/A
2. Mizan Rahman*	1113	Luxor Cab to Yellow Cab	**Request Withdrawn*

C. Recommendation of the Taxi Detail for consideration from the Taxi Commission to grant a Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Cab #:	Color Scheme:
1. Yale Feder	1202	Metro Cab

D. Consideration of the Taxi Commission to grant a Time Waiver to:
1. An L. Chan, List# 6-362*

**Applicant's name is under consideration to be removed from the Taxicab/Ramp Taxi waiting list in Item E.*

E. Taxi Detail recommends the Taxi Commission to consider applicants ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
An L. Chan*	6-362

Continued from March 14 & 28, 2006* ***applicant is also on Item D. for a time waiver request*

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 25, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

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1. TAXICAB PERMIT HOLDER:
1. Tung V. La

2. RAMPED TAXICAB:
1. Christopher A. Fulkerson

3. COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. Dat V. Nguyen	837	Arrow Cab to Regents Cab
2. Farhad Golshan	871	National to Yellow Cab
3. Kurt R. Schnitzler	9049	Yellow Cab to Luxor Cab

B. Taxi Detail recommends the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Gerald Gruenberg	6-376
2. John B. Elford	6-379
3. Angelo J. Capos	6-382

C. Taxi Detail recommends the Taxi Commission to make the following applicants ineligible for a **Ramp** Medallion for failure to respond after noticed attempts or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. Raymond R. Delgado	6-475	11. Winfield McCoy	6-501
2. Katherine Taylor	6-478	12. Tommy Burton	6-502
3. Alula Woldeab	6-480	13. Wilita K. Bowen	6-503
4. Kevin McCarthy	6-481	14. Barnaby Casperian	6-505
5. Arkadiy Dulman	6-482	15. Monroe Stark	6-507
6. Ronnie L. Larry	6-485	16. Dean Olsen	6-508
7. Dennis Ó'Sullivan	6-487	17. Reynaldo Magno	6-509
8. Nikolay Busel	6-494	18. Larry Anderson	6-512
9. Joanann Radu	6-499	19. Stephen Woodall	6-515
10. Andrew Sinaiko	6-500		

D. Consideration of the Taxi Commission to grant a change of Dispatch Service for Bay Cab from Black & White Checker to Union Dispatch.

E. Consideration of the Taxi Commission to grant a Time Waiver to:
1. Medhat Dewidar, List# 6-396

F. Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from CityWide Dispatch to Sunset Dispatch and to remove the name, George Lancia - Medallion # 846, from the Color Scheme Permit for Sunset Cab Company

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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San Francisco Taxicab Commission

April 11, 2006

MINUTES

Commission Chambers – Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

April 11, 2006

6:30PM

Regular Meeting

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Present: Breslin; Gillespie; Kwok; McGuire; Smith, Paek

Absent: None

ACTING PRESIDENT BRESLIN CALLED THE MEETING TO ORDER AT 6:40PM.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz – Taxi Commission; Sergeant Vincent Simpson – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**

- **Acting President Breslin:** Announced the death of President Arthur Jackson. I would like to put forward that we adjourn this meeting in President Jackson's honor. I'm also aware of adjourning without hearing some of the items on this agenda would affect individuals' livelihood and I know that Arthur wouldn't want that. I purpose to the Commission that we hear only those action items on the agenda that a delay would create an adverse affect: that is Item #3 the consent calendar and Item #8, the presentation by Ad Fleet. It's my understanding that the health care for drivers analysis presenters are local, I will leave it up to my fellow Commissioners whether or not we hear that item. All other discussion and possible action items I would like to continue for a future meeting, we will take public testimony on any other agenda item.
- **Commission Gillespie:** Spoke about Arthur Jackson's life and the accomplishments he made. I agree with President Breslin that any unessential business of the Commission should be continued out of respect.
- **Commission Smith:** Expressed thoughts on the life of Arthur Jackson. I have to agree with Commission Breslin that anything unessential should not be heard tonight in favor of Arthur.

- **Commission McGuire:** Commended Arthur Jackson on what a great colleague and good friend he was.
- **Commission Paek:** Spoke about Arthur Jackson's character and memories experienced with him.
- **Acting President Breslin:** Suggests taking Item #7, public comment.

7. PUBLIC COMMENT

- **Carl MacMurdo**: Honored Arthur Jackson and spoke on what a hard worker he was.
- **Barry Taranto**: Gave condolences on Arthur Jackson. Brought up a few issues, on high gas prices and illegal limousines in front of hotels.
- **Robert Cesana**: Expressed condolences on Arthur Jackson. Commissioners need to be more unified for the better of the taxi industry.
- **Harpreet Singh**: Mentioned loss of Arthur Jackson. Spoke on illegal limousines and the bad weather greatly affecting his earnings.
- **Ilene Levinson**: Expressed condolences on the loss of Arthur Jackson.
- **Dave Schneider**: Gave thoughts on the passing of Arthur Jackson. Spoke on an issue that Mr. Jackson brought up about licensing all bicycles in San Francisco.
- **Thomas George Williams**: Spoke on loss of Arthur Jackson and the problems of taxi stands in front of hotels.
- **Eric Cragin**: Discussed problems affecting the cab business.
- **Jim Gillespie**: On behalf of all companies expressed condolences on the passing of Arthur Jackson and spoke about Arthur's time as President.
- **Elizabeth Bradley**: Gave condolences to the Commission. Discussed issues affecting drivers pertaining to the San Francisco Police Department's view on taxi drivers and illegal limousines.
- **Spanky Woods**: Expressed condolences to the Commission. Informed Commission of the need of signage for the taxi zone at the Grand Hyatt hotel which is causing traffic to the public when making left hand turns.
- **Commissioner Kwok**: Spoke about the life of Arthur Jackson and experiences he had with him.
- **Acting President Breslin**: Asked Director Heidi Machen to call each agenda item.

3. CONSIDERATION OF THE MINUTES for the MARCH 28, 2006 TAXICAB COMMISSION MEETING [ACTION]

Commissioner Gillespie motions to approve the minutes. Commissioner Smith seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek; Kwok
NOES: None

ABSENT: None

RECUSED: None

PUBLIC COMMENT: No public comment.

4. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]

A. Commissioner Smith motions to approve 4A (Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver Permits). Commissioner Kwok seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; McGuire; Smith; Kwok; Paek
NOES: None

ABSENT: None

RECUSED: None

Approved Public Passenger Vehicle Driver Permits:

Zebenay G. Aycheh	Marshall W. Behm	Jamal E. Chakri
An L. Chan	Kenny Cheng	Duc K. Cun
Joseph P. De Paoli	Jose E. Diaz	Emmanuel I. Ejimadu
Artur A. Emmanuilov	Samuel N. Gathairu	Yucel Gelebek
Erik T. Hattan	Eng Ho	Rolando N. Javier
Harry R. Kinzey	Victor Kvashin	Kyaw M. Lay
Vartan Lazarev	Nanda Maung	Beyene A. Mengistab
Mahood A. Mihtar	Gentian Muzhaqi	Hoihang Ng
Tai Nguyen	Blago A. Ognianov	Danny L. Parker
Joseph L. Partida	De ora C. Pires	Billy K. T. Pun
Abdulhameed M. Radman	Sngel M. Serrano	Roshan Shakya
Livia S. Silva	Gurdial Singh	Harpal Singh
Tun A. Soe	Samson M. Tesfamariam	Bryan J. Welch
Sai Ying Yu	Touradj Zamani	

PUBLIC COMMENT: No public comment.

B. Commission Smith motioned to approve 4B1 (Color Scheme Change for Medallion# 1289). Commissioner Gillespie seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek; Kwok
NOES: None

ABSENT: None

RECUSED: None

Approved Color Scheme Changes:

Medallion Holder	**#**	**Change**
1. Stephen H. Saw	1289	DeSoto Cab to Union Cab
2. Mizan Rahman*	1113	Luxor Cab to Yellow Cab

**Request Withdrawn*

PUBLIC COMMENT: No public comment.

C. Commissioner Gillespie motions to approve 4C2 (Consideration of the Taxi Commission to grant a Taxicab Medallion Holder Permit to Yale Feder). Commissioner Smith seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie Smith; Paek; Kwok
NOES: None

ABSENT: None

RECUSED: McGuire

Approved Taxicab Medallion Holder Permits:

Taxicab Permit Applicant:	**Cab #**	**Color Scheme**
1. Yale Feder	1202	Metro Cab

PUBLIC COMMENT:

- **Barry Taranto:** Congratulated Mr. Feder for receiving his medallion and what a great individual and taxi driver he is.
- **Commissioner Gillespie:** Commended Mr. Feder for receiving his medallion. Proudly motions to approve the item.

- **Yale Feder:** Corrected Commission on mispronouncing his name.
- **Commissioner Smith:** Thanked Mr. Feder for his great service.

D. Commissioner Breslin motions to continue 4D (Consideration to grant a time waiver). Commissioner Smith seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; McGuire; Smith; Kwok; Paek
NOES: None
ABSENT: None
RECUSED: None

Continued:

1. An L. Chan, List #6-362

PUBLIC COMMENT:

- **Ken Chan**: Expressed condolences on the passing away of President Jackson. Present on behalf of sister who is not present due to back pain from an back injury. Requests Commission to grant a continuance until she can be present at a future hearing.

E. Commissioner Smith motions to continue 4E (Consideration to make applicants ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list). Commissioner Gillespie seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek; Kwok
NOES: None
ABSENT: None
RECUSED: None

Continued:

Applicant Name	List #
1. An L. Chan	6-362

PUBLIC COMMENT: No public comment

5. WEIGHTS AND MEASURES [INFORMATION AND DISCUSSION]

- **Tom Owen:** On items that are continued you should remind people that if they speak in public testimony at this hearing they will not be able at the subsequent hearing.
- **Acting President Breslin:** We should make the decision whether to continue or hear it and then have public testimony.
- **Commissioner Kwok:** Asks for clarification if item is a discussion only.
- **Director Machen:** Yes that is correct. Weights and Measures are here tonight at the request of Commissioner Smith.
- **Commissioner Smith:** I would like to continue this.

Commissioner Smith motions to continue Item 5. Commissioner Kwok seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; McGuire; Smith; Kwok; Paek
NOES: None
ABSENT: None
RECUSED: None

PUBLIC COMMENT: No public comment

6. HEALTH CARE FOR DRIVERS ANALSIS FROM PRIVATE SECTOR
[INFORMATION AND DISCUSSION]

- **Commissioner Gillespie:** Commission should hear from presenters on issue since they are present.
- **Commissioner Kwok:** I agree with respect to time issue.
- **Acting President Breslin:** I ask for a motion to hear.

Commissioner Gillespie motions to hear Item 6. Commissioner Kwok seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; McGuire; Smith; Kwok; Paek
NOES: None
ABSENT: None
RECUSED: None

Discussion ensued, including the following points:

- Commissioner Gillespie requests presenters to limit presentation to 10 minutes.
- Ilene Levinson an independent benefits consultant from Dublin Insurance gave a presentation of a proposed health plan for taxi drivers. Major highlights of the program explained were everyone is guaranteed coverage, no preexisting condition limitations, first dollar coverage is offered as well as dental and vision plans, and all of the proposed costs are inclusion of all administration.
- Carrie Winston gives track record and plan experience of Dublin Insurance and provides additional highlights of the proposed health plan. Gave briefing on models from packet. Inquires if Commission wants to go through plan details or table it for another discussion.
- Acting President Breslin feels since she is receiving the packet for the first time they should be given time to review it.
- Commissioner Kwok familiar with IHSS plan and would like to know the difference from SF Health Plan.
- Carrie Winston explains IHSS Public Authority program in San Francisco and other counties. Offers to give Commission Kwok better details to other county plans.
- Ilene Levinson explains what is before the Commission is just a proposal and they are open to suggestions and changes in having a focus group to further specific needs.
- Commissioner Gillespie feels they should have a working group type situation. Asks for concluding comments.
- Carrie Winston is happy to come back and work with the Commission and taxi drivers.

PUBLIC COMMENT

- **Tariq Mehmood:** Reviewed proposal and suggests plan be handed over to working group to go over details.
- **Robert Cesana:** Inquires on legal opinion of City Attorney's office and cost for drivers to participate.
- **Emile Lawrence:** Supports drivers that need a health plan, feels in order to institute a health plan in this industry it has to be comparable to city employees. Concerned about cost for plan.
- **Mark Gruberg:** Public and private health plans are being made as options to taxi drivers and feels open minded to this issue. Cautioned Commission into rushing in making a formal proposal of any kind.
- **Commissioner Smith:** Thanked Dublin Insurance for their presentation. Feels Commission needs to figure out who is going to pay for health care.
- **Commissioner Gillespie:** Issue is of great important and should be explored in more detail in the future.
- **Commissioner McGuire:** How many people do you need to sign up for this plan,

500 people? How much would a Kaiser plan cost?

- **Carrie Winston:** The tradition Kaiser plan, $20 dollar office visits, $250 hospital admission, everything else is covered would be $314.00 per month including surgery.
- **Commissioner McGuire:** What are select benefits?
- **Carrie Winston:** Select benefits are a more traditional identity bottle for which would be targeted to a healthier or younger group. Spread would be 500 people whether what plan they were in. Eligible would need to be worked out by the Commission.
- **Commissioner McGuire:** What is first dollar coverage?
- **Carrie Winston :** An insurance industry term meaning you are not going to be out of pocket a $1,000 deductible before any of your benefits kick in.
- **Acting President Breslin:** We need to put together a working group since it is not a action item tonight we can think about it for the future and move on.

8. **HUB CAP ADVERTISING PRESENTATION BY AD FLEET** [INFORMATION AND POSSIBLE ACTION]

- **Mary Pat Holt, of Ad Fleet Advertising:** Expressed condolences to the Commission on the passing of Arthur Jackson. Offered to come back to make proposal at another time out of respect to President.
- **Acting Pres. Breslin:** Appreciates comments.
- **Commissioner Gillespie:** The Commission is prepared to hear you tonight and vote on this.
- **Acting President Breslin:** Let us proceed tonight.

Discussion ensued, including the following points:

- Mary Pat Holt presented on behalf of Ad Fleet and is asking for permission to do advertising on the hub caps of vehicles. Proposal was submitted to the Commission last week. What we are offering is the percentage of the advertisement space would go to psa's for the city, for service messages, following that we would make a one time sum of $5,000 to contribute to the taxi industry fund. Also an addition $10.00 a month to the fund for every cab that is carrying our hub caps with a monthly report to the Commission of which cabs are carrying the hubs. We would pay to the owners a fee between $50-$60 a month which we feel is comparable to what is being paid to the tops; nothing has been negotiated with the owners yet until permission is given. We will have an office with full-time staff and have gotten our business license to do business in the State of California.
- Commissioner Kwok expressed concerned on how the payment will be made to shift drivers.

- Mary Pat Holt explained Ad Fleet would depend on the owners of the vehicle to handle payment. We are not in the position to control who is driving the vehicle, this is part of the negotiations with owners.
- Commissioner Kwok would like the cab drivers to see some of the money.
- Mary Pat Holt asks if the Commission has a way to get around the issue of dealing with drivers directly and would be open to that.
- Commissioner Gillespie understands the proposal as money being paid to companies. It does not go to the individual driver and it never has before. When we find an appropriate use for it, it will go to the drivers. Inquired on mechanics if drivers get a flat tire.
- Mary Pat Holt discussed how easy the hub cap is to take on and off through a key. We have over 1,000 caps running right now and we have had not one complaint yet.
- Commissioner Gillespie hopes the commitment to psa's is real and will maintain a good level of quality to benefit the city.
- Mary Pat Holt has been in the industry since 1993, I'm well respected and good for my word.
- Commissioner Smith inquired about any safety problems with the wheels.
- Mary Pat Holt explains they have never had any accidents in the four years it has been running in other states. We do carry a 3 million dollar insurance policy and a 2 million umbrella policy, so a total of a 5 million liability policy per occurrence. We have never used it and hope we never do. We are completely responsible for any damage to the hub caps, the industry is not responsible for anything other to get our ads on the streets.

PUBLIC COMMENT:

- **Barry Taranto:** Raised concern on an increase of more advertising on cabs. Asked for clarification that those with advertising on top lights are not going to have the hub caps advertisements. On the issue of ownership the top light companies negotiate with the cab company managers and not the medallion holders so who will going negotiations be with? What happens if they lose the key, will it put us at of service and how will we be reimbursed.
- **Thomas George Williams:** Feels hub cap advertising is a great idea. Reduce the gate on cabs that have the advertising; $1.00 a shift.
- **Harpeet Singh:** Asked about purchasing a new bolt and money should go towards the gate.
- **Robert Cesana:** Urged Commission to vote on issue since it is a revenue source and because of restrictions on certain cabs no using top signs.
- **Unidentified speaker:** Support hub caps if they support the health care plan.
- **Tariq Mehmood:** Feels hub cap advertisement is a good idea and should provide training to companies.

- **Commissioner Gillespie:** Comfortable with the pilot proposal made with 300 cabs for a six month period.

Commissioner Gillespie motions to direct the Executive Director to implement a pilot program with Ad Fleet Advertising for 300 taxicab wheel cover hubs for a six month period and the contributions to the taxi industry fund of $5,000 and $10 per cab per month be accepted (Item #7). Commissioner Smith seconded the motion. Motion passes 5-1.

AYES: Breslin; Gillespie; McGuire; Smith; Paek
NOES: Kwok

ABSENT: None

RECUSED: None

- **Commissioner Kwok:** Concerned with no testing on the hub caps since it is a pilot program.
- **Action Pres. Breslin:** A pilot program is there to test things. If they don't live up to the expectation in the contract it would be nullified.
- **Commissioner Smith:** Mentions insurance that Ad Fleet carries.

9. REVIEW OF THE METER RATE AND GATE FEE LEGISLATION INTRODUCED BY SUPERVISOR MA [DISCUSSION AND POSSIBLE ACTION]

- **Acting Pres. Breslin:** At this point we decided at the beginning of the meeting that from Item #9 on, we are going to continue but public testimony will be given to each one. If you speak on it tonight you will not be able to when it comes back onto the agenda.
- **Harpreet Singh:** We should not remove the cap from the gate because it will cause more stress on the driver.
- **Rakia Thabet:** The gate is already hard to pay and drivers will be making less than minimum wage if the gate is increased.
- **Eric Cragin:** De-control is the only thing that drivers have for protection from companies. Referenced comments by Mr. Dwiri from last meeting. Commented on Commissioner Smith stepping out from meeting.
- **Emile Lawrence:** Fiona Ma should address audience of Commission. Profit margins on the cab business today are 21-25% of the overall fees coming in. Discussed income of a working cab driver.
- **Acting Pres. Breslin**: Supervisor Fiona Ma's aide brought forward the proposal to the Commission and audience.
- **Dave Schneider**: Discussed historical aspect of gate control. Commented on

Supervisor Fiona Ma's campaign contributions from Yellow Cab and Commissioner Breslin.

- **Elizabeth Bradley**: Doesn't feel gate cap should be increased, and touched on health care plan.
- **Chuffa Tesfaya:** Commission should decide issue and not a member of the Board of Supervisors. Drivers are paying from their pockets because they can't afford the gates.
- **Erica Berman:** We are telling the public it's a meter increase for gas but its going toward gates, which is a lie and will make them unhappy.
- **Thomas George Williams:** UTW is outraged about Fiona Ma's proposal, and we indorse Janet Reily for the primary and urge all San Franciscans to vote for her for state assembly. Discussed gate control and the need for enforcement with companies.
- **Dell:** Believes the public would not like to pay extra money to ride in a cab and is not a good idea.
- **Hubert McCares:** Discussed gate control used example of a company who lowers the gate fee for day drivers and raises it for night drivers.

PUBLIC COMMENT: No public comment.

10. DEFINING ELIGIBILITY FOR TIME WAIVERS FOR MEDALLION WAITING LIST APPLICANTS [DISCUSSION AND POSSIBLE ACTION]

- **Acting Pres. Breslin :** Will continue this to the next meeting.

PUBLIC COMMENT: No public comment.

11. STAFF REPORT [INFORMATION]

- **Executive Director, Heidi Machen:** Offered to present or have item be continued.
- **Acting Pres. Breslin**: Is their anything urgent that needs to be heard today?
- **Executive Director, Heidi Machen:** At your pleasure I would like to make some comments about Arthur Jackson; gave condolences to Mr. Jackson. Thanked President Aaron Peskin for introducing a memoriam at the Board of Supervisors meeting today.

PUBLIC COMMENT:

- **Barry Taranto:** Inquired about a memorial service or funeral for Arthur Jackson and wished taxi drivers to be invited. Looks forward to next Commission meeting staff report pertaining to the Kearny St. issue.
- **President Breslin:** Directed Executive Director to put any information on the website.
- **Director Machen:** Will provide a fax blast to all the companies and is sending information to the Chronicle to start working on an obituary.

12. PROMOTION SHIFT CHANGE AND WAYBILL ACCOUNTABLITY [DISCUSSION AND POSSIBLE ACTION]

- **Acting Pres. Breslin :** Will continue this to the next meeting.

PUBLIC COMMENT: No public comment.

- **Acting Pres. Breslin:** Requested a moment of silence in honor of President Arthur Jackson.

13. ADJOURNMENT

Meeting adjourned at 8:40pm.

Respectfully Submitted,

Jaime Poblitz

Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
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#1
4/25/06

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APR 24 2006
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April 25, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

04-24-06P03:36 RCVD

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the April 11, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Election for a President of the San Francisco Taxi Commission [ACTION]
6. Election of Vice President of the San Francisco Taxi Commission if necessary. [POSSIBLE ACTION]
7. Public Comment (Please limit public comment to items **not** on the agenda).
8. Staff Report and Commissioner Announcements [INFORMATION]
9. Review of the Meter Rate and Gate Fee legislation introduced by Supervisor Ma. [DISCUSSION AND POSSIBLE ACTION] **Continued from February 28th, March 14th, 28th and April 11th.*
10. Appeal of Summary Suspension of Taxicab Permit #104263 (Badge# 55663), held by Jhagdev Dhalival. [ACTION]
11. Defining Eligibility for Time Waivers for Medallion Waiting List Applicants. [DISCUSSION AND POSSIBLE ACTION] **Continued from March 14th, 28th & April 11th.*
12. Adjournment

25 Van Ness Avenue, Ste. 420, San Francisco, CA 94102 * (415) 503-2180 * Fax (415) 503-2186 * Email sftaxi.commission@sfgov.org * Website www.sfgov.org/taxicommission

CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Frydoon Alai	Shahid Hamid	Hossein Mohammedhosseinpoor	Abdulla A. Sharif
Kyaw P. Aung	Thomas J. Hollifield	Billy R. O'Neal	Fatima B. Sheikh
Gerald J. Eckert	Joao C. Q. Junior	Limber Olan-Santos	Amandeep Singh
Vera M. Fleischer	Barinder S. Kataria	Victor U. Paras	Baljit Singh
Mohamed A. Fozdar	Cheng Weng Lam	Deuzair C. Rodrigues	Joseph N. Sweis
Oualid Gaaloul	Corey C. Lamb	Shaheed M. Salaam	Sam A. Sweis
Jerome A. Griffiths	Christian F. Lewis	Luis Alberto Salinas Jr.	Zaw Win
Olafur K. Gudjonsson	Chon Hock Loo	Barkwende Sawadogo	
Mohammad Gul	Heong W. Mah	Scott G. Scoville	

B. Consideration of the Taxi Commission to grant a Time Waiver to:
1. An L. Chan, List# 6-362*
2. Medhat Dewidar, List# 6-396

**Continued from April 11, 2006. Applicant is under consideration to be removed from the Taxicab/Ramp Taxi medallion waiting list in Item C.*

C. Taxi Detail recommends the Taxi Commission to consider applicant(s) ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. An L. Chan*	6-362
2. Gerald Gruenberg	6-376
3. John B. Elford	6-379
4. Angelo J. Capos	6-382

**Continued from March 14, 28 & April 11, 2006. Applicant is also on Item B: Time waiver request*

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. Dat V. Nguyen	837	Arrow Cab to Regents Cab
2. Farhad Golshan	871	National to Yellow Cab
3. Kurt R. Schnitzler	9049	Yellow Cab to Luxor Cab

E. Taxi Detail recommends the Taxi Commission to consider granting a Taxicab or Ramp Taxi Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Tung V. La	582	Yellow Cab
2. Christopher Fulkerson	9073	Luxor

F. Consideration of the Taxi Commission to grant a change of Dispatch Service for Bay Cab from Black & White Checker to Union Dispatch. ***Request Withdrawn.***

G. Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from CityWide Dispatch back to Sunset Dispatch and to remove the name, George Lancia - Medallion # 846, from the Color Scheme Permit for Sunset Cab Company.

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H. Taxi Detail recommends the Taxi Commission to make the following applicants ineligible for a **Ramp** Medallion for failure to respond after noticed attempts or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. Raymond R. Delgado	6-475	11. Winfield McCoy	6-501
2. Katherine Taylor	6-478	12. Tommy Burton	6-502
3. Alula Woldeab	6-480	13. Wilita K. Bowen	6-503
4. Kevin McCarthy	6-481	14. Barnaby Casperian	6-505
5. Arkadiy Dulman	6-482	15. Monroe Stark	6-507
6. Ronnie L. Larry	6-485	16. Dean Olsen	6-508
7. Dennis O'Sullivan	6-487	17. Reynaldo Magno	6-509
8. Nikolay Busel	6-494	18. Larry Anderson	6-512
9. Joanann Radu	6-499	19. Stephen Woodall	6-515
10. Andrew Sinaiko	6-500		

I. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	Royal Taxi
Medallion #'s:	792, 1205, 2316, 2319, 2321, 2324, 2326, 2327, 2328 & 2329
Duration of Campaign:	May 6 - June 6, 2006
Advertiser:	Advanced Micro Devices (AMD)

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 9, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. TAXICAB PERMIT HOLDER:

1. Mekonnen Areda

2. COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. George Lancia	846	Sunset Cab to WorldWide Cab
2. James M. Cortesos	753	Regents Cab to Yellow Cab

B. Consideration of the Taxi Commission to grant a change of Dispatch Service for KSJ Cab from Black & White Checker to Union Dispatch.

C. Consideration of the Taxi Commission to grant a Time Waiver to:

1. Guillermo Munoz Tovar, List# 6-518
2. Joseph Sierra, List# 6-377

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

25 Van Ness Avenue, Ste. 420, San Francisco, CA 94102 * (415) 503-2180 * Fax (415) 503-2186 * Email: sftaxi.commission@sfgov.org * Website www.sfgov.org/taxicommission

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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San Francisco Taxicab Commission

April 25, 2006

MINUTES

Commission Chambers – Room 400

City Hall,1 Dr. Carlton B. Goodlett Place

April 25, 2006

6:30PM

Regular Meeting

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Present: Breslin; Gillespie; Kwok; McGuire; Smith

Absent: Paek

VICE PRESIDENT BRESLIN CALLED THE MEETING TO ORDER AT 6:40PM.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Vicky Siu – Taxi Commission; Sergeant Vincent Simpson – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**
3. **CONSIDERATION OF THE MINUTES for the April 11, 2006 TAXICAB COMMISSION MEETING** [ACTION]

   Commissioner Smith motions to approve the minutes. Commissioner Gillespie seconded the motion. Motion passes 5-0.

   AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

   ABSENT: Paek **RECUSED:** None

- **Acting Pres. Breslin:** Stated that she wanted to hold this meeting in memory of Arthur Jackson.

PUBLIC COMMENT: No public comment.

4. **CONSIDERATION OF THE CONSENT CALENDAR** [ACTION]

   A. Commissioner Smith motions to approve 4A (Recommendation of the Taxi Detail

for consideration of Public Passenger Vehicle Driver Permits). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek **RECUSED:** None

Approved Public Passenger Vehicle Driver Permits:

Frydoon Alai	Shahid Hamid	Hossein Mohammedhosseinpoor	Abdulla A. Sharif
Kyaw P. Aung	Thomas J. Hollifield	Billy R. O'Neal	Fatima B. Sheikh
Gerald J. Eckert	Joao C. Q. Junior	Limber Olan-Santos	Amandeep Singh
Vera M. Fleischer	Barinder S. Kataria	Victor U. Paras	Baljit Singh
Mohamed A. Fozdar	Cheng Weng Lam	Deuzair C. Rodrigues	Joseph N. Sweis
Oualid Gaaloul	Corey C. Lamb	Shaheed M. Salaam	Sam A. Sweis
Jerome A. Griffiths	Christian F. Lewis	Luis Alberto Salinas Jr.	Zaw Win
Olafur K. Gudjonsson	Chon Hock Loo	Barkwende Sawadogo	
Mohammad Gul	Heong W. Mah	Scott G. Scoville	

PUBLIC COMMENT: No public comment.

B. 1. Time Waiver for An L. Chan, List # 6-362, ***Continued until the next meeting.***

2. Commission Smith motioned to approve 4B2 (Time Waiver for Medhat Dewidar, List# 6-396). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek **RECUSED:** None

- **Commissioner Gillespie** asked Mr. Dewidar if he is currently working. **Mr. Dewidar** replied yes and that he worked in 2004 but only from June on in 2005. He added that the Taxi Detail did not accept some forms from 2004 because he did not fill them out properly.
- **Commissioner Smith** asked why Mr. Dewidar requested a 90 day waiver for

2005. **Mr. Dewidar** replied that he had a back injury and didn't work from January to June of 2005.

- **Acting Pres. Breslin** asks the City Attorney whether granting a time waiver denies Mr. Dewidar from stepping forward when he has obtained enough shifts.
- **City Attorney Tom Owen** replied that once Mr. Dewidar has completed his driving requirement, he can ask to be considered for a medallion.

PUBLIC COMMENT: No public comment.

C. 1. Consideration to make applicant, An L. Chan, List #6-362, ineligible and remove applicant name from the Taxicab/Ramp Taxi waiting list, ***Continued until the next meeting.***

2, 3 & 4: Commissioner Gillespie motions to approve 4C2, 3 & 4 (Consideration to make applicants ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list). Commissioner Kwok seconded the motion. Motion passes 4-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek **RECUSED:** None

Applicants no longer eligible for a Taxicab Medallion and removed from the waiting list:

Applicant Name	**List #**
2. Gerald Gruenberg	6-376
3. John B. Elford	6-379
4. Angelo J. Capos	6-382

**Continued:*

1. An L. Chan	6-362

PUBLIC COMMENT: No Public Comment.

D. 1. Commissioner Smith motions to approve 4D1 (Consideration of the Taxi Commission to grant a Color Scheme Change: D.V. Nguyen, #837). Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek
RECUSED: None

PUBLIC COMMENT: No public comment.

2 & 3. Commissioner Smith motions to approve 4D2 & 3 (Consideration of the Taxi Commission to grant a Color Scheme Change to F. Golshan, #871 and K. Schnitzler, # 9049). Commissioner Kwok seconded the motion. Motion passes 4-0.

AYES: Breslin; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek
RECUSED: Gillespie

Approved Color Scheme Changes:

Medallion Holder:	**Medallion #:**	**Change:**
1. Dat V. Nguyen	837	Arrow Cab to Regents Cab
2. Farhad Golshan	871	National to Yellow Cab
3. Kurt R. Schnitzler	9049	Yellow Cab to Luxor Cab

PUBLIC COMMENT: No public comment.

E. 1. Commissioner Smith motions to approve 4E1 (Consideration of the Taxi Commission to grant a Taxicab or Ramp Medallion Holder Permit to T.V. La, #582). Commissioner Kwok seconded the motion. Motion passes 4-0.

Commissioner Gillespie recused himself from 4E1.

AYES: Breslin; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek
RECUSED: Gillespie

2. Commissioner Smith motions to approve 4E2 (Consideration of the Taxi

Commission to grant a Taxicab or Ramp Medallion Holder Permit to C. Fulkerson, #9073). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek
RECUSED: None

Approved Taxicab or Ramp Taxi Medallion Holder Permits:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. Tung V. La	582	Yellow Cab
2. Christopher Fulkerson	9073	Luxor

PUBLIC COMMENT: No public comment.

F. Consideration of the Taxi Commission to grant a change of Dispatch Service for Bay Cab from Black & White Checker to Union Dispatch. ***Request Withdrawn.***

G. Commissioner Smith motioned to continue G (Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from CityWide Dispatch back to Sunset Dispatch and to remove the name, George Lancia - Medallion # 846, from the Color Scheme Permit for Sunset Cab Company). Commissioner Gillespie seconded. Motion passed 5-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek
RECUSED: None

PUBLIC COMMENT:

- **BarryTaranto** suggests the Commission puts this item on hold until Mr. Lancia shows up. He further states that the owner of Medallion # 825 passed away which leaves only two medallions who don't take radio calls. He feels there is no need for Sunset Dispatch for this reason. He suggested that the Commission make guidelines for dispatch services.
- **FranciscoEscobar**states that when people call his dispatch service and the call is not answered, it goes to the next dispatch service.
- **Commissioner Kwok** inquired if Mr. Escobar has any suggestions? **Mr. Escobar** replied that he hopes the Commission approves the change of dispatch service

back to Sunset Dispatch.

- **Commissioner Smith**inquired how many cab numbers will remain with Sunset Cab. **Mr. Escobar** states that there will be two medallions at Sunset and that Mr. Lancia is not making a color scheme change out of Sunset Cab. **Commissioner Smith** asked how Mr. Escobar plans to dispatch the ramp taxi, #9072. **Mr. Escobar** replied that he will follow the protocol of rules and regulations. If a call cannot be handled in a timely manner, it will be referred to another dispatch service. Adds that he looks forward to receiving ramp calls.
- **Thomas George Williams** pointed out that the purpose of this item is to grant or not grant a change of dispatch service from one company to another and not to evaluate dispatch services.
- **MichaelMarski** states that he worked for Sunset Dispatch last year and vouched that Mr. Escobar kept all records and followed the rules. Added that Mr. Escobar fully intends to serve the community.
- **Unknown Speaker** states that he sees most of the ramp medallions at the airport and they are not servicing the city. Recommends that the Commission look into that.
- **WarrenKing** feels there is a misuse of ramp cabs. States that Paratransit customers wait many hours for a ramp cab because these drivers are at SFO or hotels waiting for $6 fare.

Discussion ensues, including the following points:

- **Commissioner Kwok**states the ramp program has not been very successful the last ten years and feels there is no practical solution. He does not want to punish anyone and will vote on it with the condition that they will improve on answering their ramp service calls. **Commissioner McGuire** does not want to make this a personal issue and suggests that they stay with CityWide. Adds that the Commission doesn't have any guidelines or rules for dispatch services right now so she is undecided. **Commissioner Smith** feels that it will be a huge loss to the ramp program if this ramp taxi stays at a company that has very little radio service. He would like to watch them closely to make sure they're making the pick ups. **Commissioner Gillespie** feels that there shouldn't be any scrutiny on this company since we don't currently do that with anyone else and states that the small companies are not a place to hide from doing business with the Paratransit community. **Acting Pres. Breslin** states that there are two issues here, changing dispatch service and removing a name from color scheme and agrees that there are no guidelines. Suggests to continue this until we have guidelines or approve it.
- **Commissioner Gillespie** motions to approve. No second.
- **Commissioner Gillespie** withdraws his motion.
- **Commissioner Smith** motions to continue this item until Mr. Lancia is here. **Commissioner Gillespie** seconded the motion. Motion passes 5-0.

H. Commissioner Smith motions to approve H (Consideration of the Taxi Commission to make applicant(s) ineligible for a **Ramp** Medallion for failure to respond after

noticed attempts or for declining a Ramp Medallion). Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek
RECUSED: None

Applicants no longer eligible for a RAMP Medallion:

Applicant Name	List #	Applicant Name	List #
1. Raymond R. Delgado	6-475	11. Winfield McCoy	6-501
2. Katherine Taylor	6-478	12. Tommy Burton	6-502
3. Alula Woldeab	6-480	13. Wilita K. Bowen	6-503
4. Kevin McCarthy	6-481	14. Barnaby Casperian	6-505
5. Arkadiy Dulman	6-482	15. Monroe Stark	6-507
6. Ronnie L. Larry	6-485	16. Dean Olsen	6-508
7. Dennis O'Sullivan	6-487	17. Reynaldo Magno	6-509
8. Nikolay Busel	6-494	18. Larry Anderson	6-512
9. Joanann Radu	6-499	19. Stephen Woodall	6-515
10. Andrew Sinaiko	6-500		

I. Commissioner Gillespie motions to continue I (Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for Royal Taxi). Commissioner Smith seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek
RECUSED: None

Color Scheme:	Royal Taxi
Medallion #'s:	792, 1205, 2316, 2319, 2321, 2324, 2326, 2327, 2328 & 2329
Duration of Campaign:	May 6 - June 6, 2006
Advertiser:	Advanced Micro Devices (AMD)

PUBLIC COMMENT:

- **BarryTaranto** comments that this is not a color scheme change involving medallions. Notes that all the cabs are spares and only one is an actual medallion.
- **DavidPilPel** notes that a letter in the packet dated April 20th notes a change of two vehicles and suggests that if the Commission adopts this, they should note that change.
- **RobertCesana** pointed out that it's better for some companies to use London cabs as spares and use them for advertising campaigns because the cabs will last 10 years as spares. States that the Commission has no option but to approve this because these cabs are grandfathered into a policy that you made.
- **MarkGruberg** agrees that it is peculiar that most are spare vehicles. Wonders if the advertiser knows that these vehicles may not be on streets.
- **City Attorney Tom Owen** clarifies that spare vehicles are only used when a regular vehicle breaks down.

Discussion ensues, including the following points:

- **Acting Pres. Breslin** asks Doug Macintosh, Sales Manager from Clear Channel, to describe the intent of the campaign. **Doug Macintosh** explained that the program is strictly an advertising program and the cab is out there for four weeks to advertise AMD. **Acting Pres. Breslin** inquires if he is aware that most of the cabs are spares. **Mr. Macintosh** states that they do disclose that to the advertiser.
- **Commissioner Gillespie**asked why they chose to advertise on spares. Mr. Macintosh states that it is between Royal and London Fleet to choose the cabs. **Commissioner Kwok** asks if he understands that these spare cabs are only used 10-15% of the time. **Mr. Macintosh** was told that these cabs would be out there purely for advertising, not as a 'for hire' cab. **Commissioner Gillespie** clarifies that taxis are for serving the public and they are not allowed to be driven solely for the purpose of advertising. Adds that you also need to have a medallion to operate a taxi. **Commissioner McGuire** would like to continue this until Nishan Sweis is here. **Commissioner Smith** explains that if a medallion is not used in the spare cab then that cab is not insured therefore it cannot be used at all. **Acting Pres. Breslin** points out that if we continue this item, it will change the duration of campaign or we can vote on it now.
- **Commissioner Gillespie** motions to continue this item and asked staff to contact Nishan Sweis to attend the next meeting.
- **Commissioner Kwok**seconded the motion.

5. ELECTION FOR PRESIDENT OF THE SAN FRANCISCO TAXI COMMISSION [ACTION]

Commissioner McGuire motions to elect Commissioner Smith for President of the San FranciscoTaxi Commission. Commissioner Kwok seconded the motion. Motion passes 4-1.

AYES: Breslin; Kwok; McGuire; Smith **NOES:** Gillespie

ABSENT: Paek
RECUSED: None

PUBLIC COMMENT

- **RobertCesana** congratulates the Commission for holding this election in a timely manner in spite of he's said.
- **EricCraigen** and **Mark Gruberg** both suggest Commissioner Gillespie for President because he has been in the industry a long time and has been a part of the Taxi Commission since it began and knows the industry well. Mark Gruberg adds that the Commission should postpone the election.
- **Thomas George Williams** also suggests to postpone the election since the Mayor has requested the Commission wait and also because Commissioner Paek is not here.
- **MichaelSpain** would also like to see Commissioner Gillespie nominated. States that Commissioner Paek is often not here and we should go with what we have.
- **John Nakis, Warren King** and **Anne McVeigh** suggest Marty Smith for President because he has the experience, knows the daily problems the drivers face and he's a fair person.
- **TarikMamoud** states that the Commission should not rush into this because one Commissioner is absent and the seventh Commissioner will be appointed soon. However, if the Commission decides to vote tonight, he suggests Commissioner Gillespie for president.
- **DominicRodriguez**suggests the Commission should do a lottery and pick a name.
- **Acting Pres. Breslin** states that they received a memo from Mayor's office requesting that the Commission continue this item until a full Commission is in place. Asks the City Attorney what the bylaws say in regards an election.
- **City Attorney Tom Owen** states that the bylaws say if there is a vacancy, the Commission should elect new president at the next meeting.
- **Acting Pres. Breslin** agrees with the public that the Commissioners present have been working together, they know each other best and to wait for new person may not make sense.
- **Commissioner Gillespie**would like to hold off on the election per the Mayor's request. **Commissioner Kwok** states that we need a president and does not feel they should wait for the seventh person to come in. Adds that he would like to vote for the person who will be a strong leader. **Commissioner McGuire** feels they should hold the election since the bylaws state they should do it. **Commissioner Smith** agrees.
- **Acting Pres. Breslin** would like to entertain nominations.

- **Commissioner Kwok** nominated Commissioner Breslin who did not accept. She would like to see someone from the industry elected.
- **Commissioner McGuire** nominated Commissioner Smith. **Commissioner Kwok** seconded the nomination. No other nominations. **Acting Pres. Breslin** concludes that nominations are closed. Motion passes 4-1.

6. ELECTION OF VICE PRESIDENT OF THE SAN FRANCISCO TAXI COMMISSION IF NECESSARY. [POSSIBLE ACTION]

This item has been tabled.

7. PUBLIC COMMENT

- **RobertCesana** is protesting the letter sent by Jack Brodnax. He feels Mr. Brodnax is not familiar with the regulations. He adds that waybills are personal and private matters and that he broke the law by bringing the waybills into the Commission office because he did not get permission.
- **CarlMacMurdo** is concerned with the letter that the new clerk at the Commission office sent a letter. He feels it had a threatening tone and the letter should have been sent to the 3000 people on the waiting list also, not just the permit holders.
- **TesafayeChuffa** is requesting a hearing time again since he still has not received a response.
- **Steve Reimers** states that the cost to get into the taxi industry are too high for the average person and suggests to allow new drivers to pay the fees after they have started working so they can pay the fees.
- **BarryTarantoinformed** everyone that the Supervisors voted 7-4 to support the closing of the eastern end of the Golden Gate Park on Saturday and Sundays. Also reports that the Cal Train Station is problem because they are not able to use their normal location and urges the Commission and staff to help solve this problem. He would like to see the comment time put back to three minutes and regarding the ramp taxis, wants to make sure they are servicing the community. Finally he is disturbed at the election of the current President.
- **Commissioner Kwok** asked for clarification about the problem with Cal Train. **Mr. Taranto** states that cabs are forced to toward the financial district when they need to go west which takes longer.
- **TarikMamoudspoke** about Prop K and how it was to benefit all drivers and not create a distinctive class among them. He feels it created a 'luxury class' with benefits such as being able to not drive or hanging onto medallions until death instead of retiring. He suggests that half the money used to pay for the medallions should be used to pay for the gate fees and for the health care program.
- **JohnNakis** he feels the letter from Mr. Brodnax is biased. He feels this is an attack on the Prop K medallion holders and he should be reprimanded.
- **MarkGruberg** spoke about the comment Commissioner Kwok made stating 'my

vote would go to the person who has contacted me and asked me for it'. He hopes he heard incorrectly because it is a violation of the Sunshine laws. **Commissioner Gillespie** asked the City Attorney if that is a violation. **City Attorney Tom Owen** replied that the Sunshine Ordinance prohibits such a meeting.

- **EmileLawrence** is happy that there is a new president. Feels there should be a distinction between drivers who do not own a medallion, those who own one and those who own one but don't drive and firms that control the medallions. He feels anytime a new legislation is created, it affects each group differently.
- **Tone Lee** states that San Francisco is a very international city and sees streets named after other countries but not Asian countries and requests the Commission to send a message to planning to have streets named after Asian countries to make them more diverse.
- **EricCraigen** congratulates President Smith. Hopes he remembers that there are 6000 drivers that make the industry, not just the companies.
- **MichaelSpain** congratulates President Smith. Spoke about the National Compensation Survey and states that in 2004 drivers were making at least $13/hour. Also spoke about a survey done by the Census Bureau in 1999. Concluded from the surveys that they are all making good money.
- **NathanDwiri** talked about a summary of financial statistics with taxicab companies. States that it is clear that there is not enough funding in the cab industry for these health plans.
- **Unknown Speaker** spoke about Willie Brown who put 500 cabs into the industry because of the dot com phase but that failed. Then 911 happened and it was hard to make a living. Now we have the Moscone convention center so things are picking up however believes this industry is not making money because the limos are giving money to the doormen.
- **Thomas George Williams** states how permit holders are now seeing enforcement of the laws which means they actually have to drive now. They make $20-25k just for renting out their medallion but yet they still claim that health care is not possible. Added that the gate fee went down to $83.50 in January and asks when the Commission is going to enforce this law.
- **AnneMcVeigh** shares information about Mr. Bettencourt and asks that he resign.

8. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS [INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent.
- **Commissioner McGuire** would like to invite someone from Jake McGoldrick's office to discuss the taxi stands in Golden Gate Park. She wants the focus to be on the disabled community and tourists who attend the De Young Museum.
- **Pres. Smith** adds that 1 million people have visited the museum since it opened and we'll need taxi stands there.

- **Vice Pres. Breslin** is pleased that the office is being proactive about involving the Commission in the Gay Pride Parade. She would like to pursue other parades in the city to promote taxis as a good means of transportation. Spoke about the licensing of bicycles: she recommends a hearing about safety issues with bicycles to make things safer for all. Also asks that Commissioner requests fall under the Notice section of the consent calendar. Recommends forming a working group for the health plan. Wants a service hearing. She also agrees that there is a need for a taxi stand at De Young Museum. Wants to pursue proper application process for a taxi stand with DPT.
- **Pres. Smith** requests that taxi stands be put in the outer Richmond district. He wants to also have a discussion on the letter from State Fund and to discuss waybills.

PUBLIC COMMENT:

- **BarryTaranto** spoke about the legislation regarding Saturday closure of Golden Gate Park. He reviewed the disability access to the park. Feels there needs to be an education process regarding the closure of Golden Gate Park. Mentions the need for a taxi stand at the Cliff House. Adds that bicyclist need to follow law as well.
- **TesafayeChuffa** feels the staff report and Commission announcement are defective. States that he has the right to get fair treatment. Asked for a hearing time again.
- **Thomas George Williams** comments on the letter to Police Department about enforcement of safety. He cautions to be careful of what you ask for because drivers do not make enough money for those tickets.
- **Pres. Smith** clarifies that his letter was just asking drivers to be more careful.

9. REVIEW OF THE METER RATE AND GATE FEE LEGISLATION INTRODUCED BY SUPERVISOR MA [DISCUSSION AND POSSIBLE ACTION]

- **Pres. Smith** would like to continue this item because the parties involved would like to get together and work this out.
- **Commissioner Kwok** asks if this legislation is one or two items. **Executive Director Machen** clarifies that it is one legislation with two subjects and adds that they may comment on it separately. **Commissioner McGuire** inquires if Supervisor Ma's office is waiting for a recommendation from us? **Executive Director Machen** replies that they are looking to this Commission for direction. **Commissioner McGuire** inquires what happened to the recommendation regarding the gas surcharge. **Executive Director Machen** gave a summary on the timeline of events for this initial recommendation.
- **Commissioner Gillespie** suggests going forth with this since Supervisor Ma is waiting for our decision. Feels there are many aspects that need to be addressed but would like to vote on Supervisor Ma's legislation and suggest alternatives.

- **Commissioner Kwok** agrees with Commissioner Gillespie. States that this has been continued for a long time, we should vote on this.
- **Commissioner McGuire** agrees to act on this tonight and to reject it. States that eliminating the gate cap will be horrible. Urges all to reject this.
- **Commissioner Breslin** agrees with Commissioner Gillespie that the discussion of changes should come to the Commission first. Believes that a fuel surcharge will promote service within the city and is needed. She disagrees with some of the Commissioners on the gate cap issue. She believes a gate cap is not a good thing.
- **Commissioner McGuire** adds that what we have here is hearsay, there are no models or plans.

PUBLIC COMMENT

- **MarkGruberg** urges the Commission to vote on this tonight. States the gate cap is the driver's only protection.
- **JoeMirables** states that gate fees have increased dramatically and that if anything should be done, we should rollback the gate fees.
- **StevenReimer** wants the Commission to reconsider. Believes drivers are making more money than they say they are. States that the gate cap affects the big companies and if gates did roll back, our drivers will go home an hour earlier because they would have already made their money. **Commissioner Kwok** asks Mr. Reimer what the income difference between the medallion holder and regular driver is. **Mr. Reimer** replied that the driving income is the same. **Commissioner Gillespie** asked if he believes the city has the right to regulate the number of taxis in the city and should the city regulate meter rates? **Mr. Reimer** replied that there should be a bar at which you should meet. In reference to the meter rates, he'd like to charge less.
- **TarikMamoud** feels San Francisco and California have too many controls. States that many drivers leave this industry because it is not an attractive job and they cannot afford to make a living.
- **WarrenKing** said the dollar surcharge is too much and the meter increase will cut down on the driver's tips. Feels the gate cap should be removed because every company has the right to make money.
- **Spanky Woods** said the gate fees for the medallion holders are lower than for non medallion holders. He shared copy of the gate fees charged at National.
- **JohnNakis** reports that companies have a huge expenses and they should be compensated somewhere.
- **StevenWatson** states that he has been driving since 2005. Went over figures for an income gross cap.
- **CharlesDobson** is against increasing the gates. He states that the taxi companies claimed that an increase in gate fees will give us better health care however, he has not seen health care yet. Suggests maybe going back to lower gates.
- **RobertCesana** feels that companies aren't making money ever since we asked

everyone to pay insurance and workers' comp. We do not want a gate increase because we were lied to about health care.

- **AnneMcVeigh**feels the dollar surcharge is a better compromise than a rate increase because if the rate increases then business slows down.
- **CarlMacMurdo** feels the dollar surcharge is the way to go. A meter rate increase would hurt business.
- **MichaelSpain**is against a gate increase.
- **JimGillespie** states that companies do turn in their financial reports every year to the Controller. The report from the Controller's office showed a 1-2% profit for 2001, 2002, 2003 and 2004. There was an error which the Controller revised. He is for removal of the gate cap.
- **Ruach Graffis** feels the restaurant industry does not compare with the cab industry and asked the Commission to vote against this.
- **NathanDwiri**comments about the past and how the number of cabs has had an affect on gates fees and gate fees increases because companies competed with each other.
- **Commissioner Gillespie** motions to reject the legislation.
- **Commissioner Kwok**seconded the motion.
- **Pres. Smith** states that companies are paying a lot for cars, workers' compensation and rent and he does not want to restrict companies from growing. He does not like the idea of open gates but also does not like gate control. He wants to suggest a number for the gate cap to Supervisor Ma and would like to help companies grow.

Discussion ensues, including the following points:

- **Commissioner Gillespie** agrees they should have a discussion about an increase in gate fees but that is not the issue placed before them tonight. Adds that they need to vote on Supervisor Ma's legislation and he would like to send a strong message that they reject it.
- **Pres. Smith**comments that the drivers are suffering and they need the surcharge and if they can have a figure for the gate cap and send it to her, it would be better.
- **Commissioner Kwok** agrees that they should vote on this tonight. States that this is just a start and we can discuss it further at another time.
- **Commissioner McGuire** states that the higher gates would be for the entire fleet not just the fuel efficient vehicles. She states she does not understand why President Smith wants to charge a higher gate cap when the drivers are suffering. Adds that drivers tell her they want to keep costs low because they want more customers.
- **Vice Pres. Breslin** suggests voting in two parts-meter increase and surcharge.
- **Commissioner Kwok**reminds everyone that there is already a motion and a second.

- **Executive Director Machen** reiterates that the motion is to reject the entire legislation.

ROLL CALL:

- Pres. Smith: No; Commissioner McGuire: Yes; Commissioner Kwok: Yes; Commissioner Gillespie: Yes; Vice Pres. Breslin: No
- **Executive Director Machen** states that the motion fails 3-2.
- **Vice Pres. Breslin** would like to motion to vote on the two parts of the legislation separately and to support a fuel surcharge with a sunset as proposed by Supervisor Ma.
- **Pres. Smith**seconded.
- **Commissioner Kwok**inquires whether they can amend the legislation.
- **City Attorney Tom Owen** replies that you cannot amend the legislation however you can send suggestions. You cannot introduce a new topic that was not encompassed in the original legislation.
- **Commissioner Gillespie**feels it is wrong to deal with each topic individually since everything is interrelated.
- **Vice Pres. Breslin** does not wish to send a *strong* message to Supervisor Ma she would rather continue this until they address every aspect. She suggests taking a roll call vote on the surcharge with the sunset.

Roll Call:

- Commissioner McGuire: No; Commissioner Kwok: No; Commissioner Gillespie: No; Vice Pres. Breslin: Yes; Pres. Smith: Yes
- **Executive Director Machen** reports that the motion fails: 3-2.
- **Commissioner Gillespie** motions to reject the repeal of gate control.
- **Commissioner Kwok**seconded.

Roll Call:

- Commissioner McGuire: Yes; Commissioner Kwok: Yes; Commissioner Gillespie: Yes; Vice Pres. Breslin: No; Pres. Smith: No
- **Executive Director Machen** reports that the motion fails: 3-2.

10. APPEAL OF SUMMARY SUSPENSION OF TAXICAB PERMIT #104263 (BADGE# 55663), HELD BY JHAGDEV DHALIVAL. [ACTION]

- **Executive Director Machen**made a brief introduction of this hearing.
- **Sergeant Simpson** gave a brief description of the case. States that the Taxi Detail requests the Commission maintain his suspension.

- **Commissioner Gillespie** motions to maintain the suspension.
- **Commissioner Kwok** seconded.

Roll Call:

- Commissioner McGuire Yes, Commissioner Kwok: Yes, Commissioner Gillespie: Yes, Vice Pres. Breslin: Yes, Pres. Smith: Yes
- **Executive Director Machen** reports that the motion carries 5-0.

11. DEFINING ELIGIBILITY FOR TIME WAIVERS FOR MEDALLION WAITING LIST APPLICANTS [DISCUSSION AND POSSIBLE ACTION]

This item has been continued per President Smith.

PUBLIC COMMENT: No public comment.

12. ADJOURNMENT

Meeting adjourned at 10:22pm.

Respectfully Submitted,

Vicky Siu

Office Coordinator

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

SF
T23
#1
5/9/06

TAXICAB COMMISSION AGENDA
REGULAR MEETING

DOCUMENTS DEPT.
MAY - 5 2006
SAN FRANCISCO
PUBLIC LIBRARY

May 9, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

05-05-07A10:48 RCVD

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the April 25, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Public Comment (Please limit public comment to items **not** on the agenda).
6. Staff Report and Commissioner Announcements [INFORMATION]
7. Weights and Measures [INFORMATION AND DISCUSSION] **Continued from April 11th.*
8. Review of the Meter Rate and Gate Fee legislation introduced by Supervisor Ma. [DISCUSSION AND POSSIBLE ACTION] **Continued from February 28th, March 14th, 28th, and April 11th, 25th.*
9. Discussion on Worker's Compensation letter from State Fund [DISCUSSION AND POSSIBLE ACTION]
10. Adjournment

CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Mohammedzeyn E. Adgo	Ahmed O. Alali	Akram N. M. Alammari
April Blanding	Joaquin J. Camps	Sam V.S. Chea
Michael M. DeLuna	Max H. DeOliveira	Michael B. Enis
Brian A. Galordi	Tilaye H. Gebreselassie	Kiros Ghirmay
Krishna B. Ghotane	Phoebe Ha	Babiker Ibrahim
Hao Xiang Ji	Kristopher J. Kelly	Christian M. Klotz
Mary A. D. M. McMillan	Abdo Y. Mohamed	Craig D. Mosteller
Kyaw M. Myint	Kyrian A. Obidiegwu	Reynaldo Ortega
Henrique R. P. Pinto	Barry M. Rogers	Steven L. Sanders
Charles W. Shannon	Niti Shetthasak	Amarjit Singh
Gurpreet Singh	Abel D. Tadigo	Karna R. Thomas
David H. Weber	Amesiyas A. Wube	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. George Lancia*	846	Sunset Cab to WorldWide Cab
2. James M. Cortesos	753	Regents Cab to Yellow Cab

Request Withdrawn.

C. Taxi Detail recommends the Taxi Commission to consider granting a Taxicab or Ramp Taxi Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Mekonnen Areda	77	Yellow Cab

D. Consideration of the Taxi Commission to grant a change of Dispatch Service for KSJ Cab from Black & White Checker to Union Dispatch. ***Request Withdrawn.***

E. Consideration of the Taxi Commission to grant a Time Waiver to:

1. Guillermo Munoz Tovar, List# 6-518
2. Joseph Sierra, List# 6-377
3. An L. Chan, List# 6-362*

**Continued from April 11 & 25, 2006. Applicant is under consideration to be removed from the Taxicab/Ramp Taxi medallion waiting list in Item F.*

F. Taxi Detail recommends the Taxi Commission to consider applicant(s) ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. An L. Chan*	6-362

**Continued from March 14 & 28 / April 11 & 25, 2006. Applicant is also on Item E: Time waiver request*

G. Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from CityWide Dispatch back to Sunset Dispatch and to remove the name, George Lancia - Medallion # 846, from the Color Scheme Permit for Sunset Cab Company. ***Continued from April 25, 2006***

H. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme: ***Continued from April 25, 2006***

Color Scheme:	Royal Taxi
Medallion #'s:	792, 1205, 2316, 2319, 2321, 2324, 2326, 2327, 2328 & 2329
Duration of Campaign:	May 6 - June 6, 2006
Advertiser:	Advanced Micro Devices (AMD)

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A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 23, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. Kenneth Liang	9054	Regents Cab to Desoto Cab

B. Consideration of the Taxi Commission to grant a Time Waiver to:
1. Rizal Sofian, List# 6-522

C. Taxi Detail recommends the Taxi Commission to remove applicant name(s) from the Taxicab/Ramp Medallion waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Keith D. Harris	6-394

D. Taxi Detail recommends the Taxi Commission to make the following applicants ineligible for a **Ramp** Medallion for failure to respond after noticed attempts or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. Dorian Hawkey	6-516	5. Barry Korengold	6-521
2. Guillermo Tovar	6-518	6. Nollie P. Griffin	6-523
3. Eric W. Tang	6-519	7. Jessie Reyes	6-524
4. Michael Lambert	6-520		

E. The Taxi Detail recommends consideration from the Taxi Commission to remove deceased applicant name(s) from the Taxicab/Ramp Medallion waiting list:

Applicant Name	List #
1. Tanya (De Duran) Sinclair	6-403

F. Commission Request to Calendar:

President Martin Smith	Date of Request
Determine workers comp. policy for gate & gas drivers. Also proper certificates.	n/a
Start-up color schemes & dispatch companies restricting size of companies at least 15 medallions.	n/a

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Overflow calls in the dispatch room with the idea of referring those calls to dispatch companies without business.	n/a
Discussion on phony waybills.	n/a
Discussion on ramp taxi compliance (Police reports).	n/a
Discussion and possible action making all cab fleets 50% alternative fuel (by what date?).	n/a
Discussion on incentives for medallion holders buying new alternative fuel vehicles.	January 10, 2006
Discussion to replace Inspector Suslow, Officer Nevins, and Officer Ramos positions and add six more officers to the taxi detail.	January 10, 2006
Request to calendar discussion about the Mark Gruberg's UTW, Lazar Luxor Settlement.	January 10, 2006
Discussion on the Daly-Ma Ordinance.	January 10, 2006
Discussion about ADA accommodations and who or whom should be issuing these accommodations.	January 10, 2006
Discussion about a follow up on the Controller's report and about the things they missed on their first report.	January 10, 2006
Meeting to discuss procedures applying for medallions changing from one color scheme to another.	January 24, 2006
Meeting discussing the new Controller's Report (financial statements summary for taxi companies)	January 24, 2006
Discussion asking the Board of Supervisors to license all bicycle riders. Also bicycles should have license plates.	March 14, 2006
Meeting with Carmen Kern of Weights and Measures about any new rules and regulations.	March 14, 2006
Discussion on having a designated person working for the cab fleets to assist the Police downloading the security cameras in the cabs.	March 28, 2006
Locating taxi stands in outer Richmond district.	April 25, 2006
Discussion on Workers Comp letter from State Fund.	April 25, 2006
Discussion on Waybills.	April 25, 2006
Vice President Breslin	**Date of Request**
Licensing bicycles; safety hearing regarding bikes and making streets safer.	April 25, 20006
Commissioner requests should fall under notice section.	April 25, 20006
Forming a working group for the health plan.	April 25, 20006
Service hearing.	April 25, 20006
Application process for taxi stands with DPT.	April 25, 20006
Commissioner McGuire	**Date of Request**
Posting of notices inside taxicabs and at various locations, informing the public that solicitation of ground transportation at SFO, SF hotels and streets is illegal. Also, advising the public how to identify taxicabs that are operating illegally in SF.	n/a
Taxis in Golden Gate Park – invite McGoldrick's staff, Rec and Park, disability community (?) focus on tourists and the disabled.	April 25, 2006
Report on how much each company charges for a monthly lease	February 14, 2006
Review of recent price increases at the various companies. How do these prices equate to what companies charge for gate and gas cabs? Insurance....Both workers compensation and liability...are they purchased by lease. Who purchases the vehicle? What is the average price of a vehicle? What is the average cost of monthly maintenance and who pays for it?	February 14, 2006
Review of the controller's report regarding the long term lease and how it can be structured to fit within the gate cap legislation.	February 14, 2006

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AMENDED AGENDA
REGULAR MEETING

SF
T23
#1
5/9/06
amended

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May 9, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the April 25, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Public Comment (Please limit public comment to items **not** on the agenda).
6. Staff Report and Commissioner Announcements [INFORMATION]
7. Weights and Measures [INFORMATION AND DISCUSSION] **Continued from April 11th.*
8. Discussion on Worker's Compensation letter from State Fund [DISCUSSION AND POSSIBLE ACTION]
9. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Mohammedzeyn E. Adgo	Ahmed O. Alali	Akram N. M. Alammari
April Blanding	Joaquin J. Camps	Sam V.S. Chea
Michael M. DeLuna	Max H. DeOliveira	Michael B. Enis
Brian A. Galordi	Tilaye H. Gebreselassie	Kiros Ghirmay
Krishna B. Ghotane	Phoebe Ha	Babiker Ibrahim
Hao Xiang Ji	Kristopher J. Kelly	Christian M. Klotz
Mary A. D. M. McMillan	Abdo Y. Mohamed	Craig D. Mosteller
Kyaw M. Myint	Kyrian A. Obidiegwu	Reynaldo Ortega
Henrique R. P. Pinto	Barry M. Rogers	Steven L. Sanders
Charles W. Shannon	Niti Shetthasak	Amarjit Singh
Gurpreet Singh	Abel D. Tadigo	Karna R. Thomas
David H. Weber	Amesiyas A. Wube	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. George Lancia*	846	Sunset Cab to WorldWide Cab
2. James M. Cortesos	753	Regents Cab to Yellow Cab

Request Withdrawn.

C. Taxi Detail recommends the Taxi Commission to consider granting a Taxicab or Ramp Taxi Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Mekonnen Areda	77	Yellow Cab

D. Consideration of the Taxi Commission to grant a change of Dispatch Service for KSJ Cab from Black & White Checker to Union Dispatch. ***Request Withdrawn.***

E. Consideration of the Taxi Commission to grant a Time Waiver to:

1. Guillermo Munoz Tovar, List# 6-518
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San Francisco Taxicab Commission

May 9, 2006

MINUTES

Commission Chambers – Room 400

City Hall,1 Dr. Carlton B. Goodlett Place

May 9, 2006

6:30PM

Regular Meeting

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Present: Breslin; Gillespie; Kwok; McGuire; Smith, Paek

Absent: None

PRESIDENT SMITH CALLED THE MEETING TO ORDER AT 6:45 PM.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz – Taxi Commission

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**
3. **CONSIDERATION OF THE MINUTES for the April 25, 2006 TAXICAB COMMISSION MEETING** [ACTION]

   Commissioner Paek motions to approve the minutes. Commissioner Gillespie seconded the motion. Motion passes 5-0.

   AYES: Breslin; Gillespie; McGuire; Smith; Paek
   NOES: None
   ABSENT: Kwok
   RECUSED: None

   PUBLIC COMMENT: No public comment

4. **CONSIDERATION OF THE CONSENT CALENDAR** [ACTION]

   A. Commissioner Gillespie motions to approve 4A (Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver Permits). Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek
NOES: None

ABSENT: Kwok

RECUSED: None

Approved Public Passenger Vehicle Driver Permits:

Mohammedzeyn E. Adgo	Ahmed O. Alali	Akram N. M. Alammari
April Blanding	Joaquin J. Camps	Sam V.S. Chea
Michael M. DeLuna	Max H. DeOliveira	Michael B. Enis
Brian A. Galordi	Tilaye H. Gebreselassie	Kiros Ghirmay
Krishna B. Ghotane	Phoebe Ha	Babiker Ibrahim
Hao Xiang Ji	Kristopher J. Kelly	Christian M. Klotz
Mary A. D. M. McMillan	Abdo Y. Mohamed	Craig D. Mosteller
Kyaw M. Myint	Kyrian A. Obidiegwu	Reynaldo Ortega
Henrique R. P. Pinto	Barry M. Rogers	Steven L. Sanders
Charles W. Shannon	Niti Shetthasak	Amarjit Singh
Gurpreet Singh	Abel D. Tadigo	Karna R. Thomas
David H. Weber	Amesiyas A. Wube	

PUBLIC COMMENT: No public comment.

B. Commission Paek motioned to approve 4B2 (Color Scheme Change for Medallion# 753). Commissioner Breslin seconded the motion. Motion passes 4-0.

AYES: Breslin; McGuire; Smith; Paek
NOES: None

ABSENT: Kwok
RECUSED: Gillespie

Medallion Holder:	**Medallion #:**	**Change:**
1. George Lancia*	846	Sunset Cab to WorldWide Cab
2. James M. Cortesos	753	Regents Cab to Yellow Cab

Request Withdrawn.

PUBLIC COMMENT: No public comment.

C. Commissioner Paek motions to approve 4C1 (Consideration of the Taxi Commission to grant a Taxicab Medallion Holder Permit to Mekonnen Areda). Commissioner Breslin seconded the motion. Motion passes 4-0.

AYES: Breslin; Smith; McGuire; Paek
NOES: None
ABSENT: Kwok
RECUSED: Gillespie

Approved Taxicab Medallion Holder Permits:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Mekonnen Areda	77	Yellow Cab

PUBLIC COMMENT: No public comment

D. Consideration of the Taxi Commission to grant a change of Dispatch Service for KSJ Cab from Black & White Checker to Union Dispatch. ***Request Withdrawn.***

E. Commissioner Gillespie motions to approve 4E1 (Consideration to grant a time waiver to Guillermo Munoz Tovar). Commissioner Breslin seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek
NOES: None
ABSENT: Kwok
RECUSED: None

Approved Time Waiver:

1. Guillermo Munoz, List #6-518

Commissioner Gillespie motions to continue 4E2 (Consideration to grant a time waiver). Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek

NOES: None

ABSENT: None

RECUSED: None

Continued:

2. Joseph Sierra, List #6-377

Commissioner Breslin motions to continue 4E3 to the call of the Chair (Consideration to grant a time waiver). Commissioner Paek seconded the motion. Motion passes 4-1.

AYES: Breslin; McGuire; Smith; Paek
NOES: Gillespie

ABSENT: Kwok

RECUSED: None

Continued:

3. An L. Chan, List #6-362

PUBLIC COMMENT:

- **Robert Cesana**: Feels Commission needs to resolve the issue of giving out time waivers only to those who have medical issues and everyone is to have the same standards.
- **BarryTaranto**: Discussed An Chan's time waiver, feels that the time waiver should not be granted.
- **Jim Gillespie**: Commented on Guillermo Tovar and Joseph Sierra; states they are long time drivers.
- **Commissioner Gillespie**: Requests Guillermo Tovar to speak before the Commission. Inquires about driving history and why he is requesting a time waiver.
- **Guillermo Tovar**: Stated he has been driving for 27 years and hasn't stopped since 1979. The reason for requesting a time waiver is he never received a letter until recently.
- **Commissioner Gillespie**: Feels Mr. Tovar will have no problem fulfilling the driving requirement, whereas the other two applicants may have an issue.
- **President Smith**: Inquires if Mr. Sierra is present. Believes he has been a long time driver. Reviews driving history memo prepared by staff.
- **Commissioner Gillespie**: Motions to approve Mr. Tovar's request but feels An

Chan is not going to be able to complete the driving requirement.

- **President Smith**: I would like to continue Mr. Sierra. An Chan just received a A-card recently and has never driven before so we should deny her.
- **Vice President Breslin**: I agree with Commissioner Gillespie that Mr. Tovar be granted a time waiver and Mr. Sierra be given a continuation. Inquires on date of when time waiver would start the clock for the driving year.
- **City Attorney Tom Owen**: It would be one year from the date of the Commission's action.
- **Vice President Breslin**: Feels that the Commission's current policy is to grant a first time waiver therefore we are unable to deny a waiver.
- **Commissioner McGuire**: Inquires about a past agenda item that would alter the time waiver policy.
- **Commissioner Gillespie**: Recalls they continued that item at Commissioner Breslin's request because it was a major change. An Chan is not going to met the requirement to get a taxi medallion and to grant a continuance is giving her false hope.
- **Vice President Breslin**: I agree it is impossible to make the requirement but I cannot vote to deny a time waiver.
- **Commissioner McGuire**: To satisfy the concern of Commissioner Breslin we should continue An Chan.
- **Vice President Breslin**: Recalls An Chan attending the last meeting. I do not want to grant An Chan a time waiver but we need to get to the real issue of changing the driving requirement.
- **Commissioner Paek**: Suggests tabling An Chan. Feels Commissioner Breslin has a point, and we should give An Chan some time.
- **City Attorney Tom Owen**: Tabling would be inappropriate; it is used for killing an item. A continuance is not limited to two weeks, you can continue to a future date or continue to the call of the chair.
- **Vice President Breslin**: Moves to continue to the call of the Chair.

F. Commissioner Breslin motions to continue 4E (Consideration to make applicants ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list). Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek
NOES: None

ABSENT: Kwok

RECUSED: None

Continued:

Applicant Name	List #
1. An L. Chan	6-362

**Continued from March 14 & 28 / April 11 & 25, 2006. Applicant is also on Item E: Time waiver request*

PUBLIC COMMENT: No public comment

G. Commissioner Gillespie motions to continue 4G pending an investigation by Taxi Detail that requirements of dispatch service are being met.(Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from CityWide Dispatch back to Sunset Dispatch and to remove the name, George Lancia - Medallion # 846, from the Color Scheme Permit for Sunset Cab Company). Commissioner McGuire seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek
NOES: None

ABSENT: Kwok

RECUSED: None

PUBLIC COMMENT:

- **Barry Taranto:** Gave briefing of the situation with Sunset Cab expressed concerned on time spent at the airport.
- **Francisco Escobar:** Spoke on Barry Taranto's comments. Requests color scheme be returned to him and calls on Taxi Detail to verify the efficiency of his dispatch.
- **Commissioner Gillespie:** Inquires how many cabs on the dispatch service?
- **Francisco Escobar:** Only two.
- **Commissioner Gillespie:** Points out in the past Mr. Escobar had only two cab then but was looking to grow. Anyone who calls your service most likely won't be served.
- **Francisco Escobar:** That is a 50/50 chance if the cabs are in the area, the call is then referred to another dispatch. As far as the growth of company it hasn't gone as fast as I would have liked but I'm working on that, it has only been a year.
- **Director Machen:** Gives clarification to Commissioner Gillespie on item.
- **Francisco Escobar:** Explains situation of Sunset cab and dispatch service.
- **Commissioner Gillespie:** Inquires on requirements for dispatch companies being staffed certain hours. Uncertain if a two person cab company can handle the volume of calls it receives.

- **Francisco Escobar:** States he has a full time staff dispatch person. Asks Commission to grant the transfer of the color scheme back to its original dispatch and allow the taxi detail to make sure the dispatch is running.
- **President Smith:** Asks if dispatch has a frequency.
- **Commissioner McGuire:** Asks if dispatch location is out of towing company.
- **Francisco Escobar:** No it is operated out of a suite 2560 Marin St. shared by Worldwide. My first office was shared with a towing company at 175 Bayshore. It is staffed 24 hours a day.
- **Commissioner McGuire:** Doesn't understand Mr. Escobar's requests since he needs to build his color scheme and should stay with dispatch he is at now for better business.
- **Francisco Escobar:** Understands what Commissioner McGuire is saying but wants to pursue his own dispatch and run it. We had over 300 calls between March and December of 2005 for one cab, this was submitted to the Taxi Commission. 30% were all answered, the others were referred to Yellow Cab.
- **Commissioner Breslin:** Notes Item 4B on the Consent Calendar for color scheme change of George Lancia and asks if lack of action of this would take any cabs off the street.
- **Thomas George Williams:** Speaks on lack of dispatch companies not picking up calls and Commissioner should make an agenda point to look at the services in general and not to focus on this one company.
- **Frank Fahey:** Spoke on relation of Austin James and Francisco Escobar and feels Mr. Escobar should be given a chance to run his business.
- **George Lancia:** Expresses concern of not seeing a dispatch person at the Sunset Cab office and does not have access.
- **President Smith:** Are you staying with Citywide?
- **George Lancia:** Yes I am.
- **President Smith:** Mr. Escobar is licensed to dispatch, correct?
- **George Lancia:** I have never seen his license but I suppose so.
- **Commissioner McGuire:** What color scheme are you with now?
- **George Lancia:** I am at Sunset and want to continue with Citywide Dispatch on the radio and hold the Sunset on the van.
- **President Smith:** Clarifies situation to Mr. Lancia and suggests finding another color scheme.
- **Commissioner McGuire:** Are you under contract with Mr. Francisco that you have to stay at Sunset?
- **George Lancia:** I'm not sure. I would like request a couple weeks to make a decision about this matter and clear my mind.
- **Commissioner Gillespie:** Motions to continue and requests Taxi Detail to look

into this matter.

H. Commissioner Breslin motions to approve 4H (Taxi Wrap Color Scheme for Royal Taxi). Commissioner

McGuire seconded the motion. Motion passes 5-0.

AYES: Breslin; McGuire; Smith; Paek; Gillespie
NOES: None

ABSENT: Kwok

RECUSED: None

PUBLIC COMMENT:

- **Barry Taranto:** Feels advertising on spares is adding more cabs on the streets of San Francisco and asks Commission not to set this precedence.
- **Robert Cesana:** Asks Commission to postpone debate on this issue. Inquires about spares that are being driven, if they are counted as driving requirement hours.
- **Thomas George Williams:** Does not want to see any taxicabs on the streets without medallions.
- **Mark Gruberg:** Feels issue is of great importance, touches upon London cabs and the use of diesel fuel polluting air. There is nothing preventing this company from turning spares into regular vehicles if they want to put the wraps on them that would be the way to go and not put them out as spares.
- **Nick Sweis:** Owner of Royal Cab Company explains to Commission that all the cabs with wraps are working cabs with medallions and not spares. Advertisement representative made an incorrect statement at the last hearing by the wraps were going on spares. Explains the use of spares.
- **Jim Gillespie:** Supports Mr. Sweis and comments on size of fleet.
- **President Smith:** Agrees with Mr. Swies and states there is no rule saying spares can't be wrapped.
- **Vice President Breslin:** Motions to approve the taxi wrap since being provided with new information.

Approved Taxi Wrap:

Color Scheme:	Royal Taxi
Medallion #'s:	792, 1205, 2316, 2319, 2321, 2324, 2326, 2327, 2328 & 2329
Duration of Campaign:	May 6 - June 6, 2006

Advertiser:	Advanced Micro Devices (AMD)

5. PUBLIC COMMENT [INFORMATION AND DISCUSSION]

- **Barry Taranto:** Thanks President Smith for giving back the 3 minute speaking time. Spoke on issue of high gas prices, urges the Commission to push the Board of Supervisor to introduce a surcharge and not tie it to the gate. Also discussed the increase of town cars on the streets of San Francisco, urges Commission to look at the situation and get the police training video.
- **Frank Fahey:** Spoke on the passing of friend and fellow cab driver Austin James. A service will be held on May 13th at 3:00 p.m. at Skyline Community Church, 12540 Skyline in Oakland. For more information call 510-333-1357. Addressed the issue of limousines and legislation of Assemblymember Leno and why it never went anywhere and asked it be studied.
- **Tariq Mehmood:** Presents Vice President Breslin with a Pro-Owner Taxi Award Certificate for her hard work and dedication to the Taxi Commission.
- **Robert Cesana:** Feels the Commission needs to look closely at the agenda items with no policy and look at items two months in advance before they are discussed. Notes on Chronicle article relating to Caltrains and the affect it has on cab drivers; requests Commission to have a debate and talk with Caltrains. Suggests Yellow Cabs standard of waybills is modeled to the Taxi Industry.
- **Carl Macmurdo:** Suggests Commission to agenda a hearing on time waiver policy and the Daly Ma criteria. Speaks on Commissioner Gillespie's comment on certain people not fulfilling the driving requirement.
- **John Nakis:** Gave presentation on staff member Tristan Bettencourt calls on Commissioner to investigate matter.
- **Jim Gillespie:** Announced passing of taxi driver, Bill Sargis and spoke on his life. John Lazar will be putting together a service but no date has been set.
- **Thomas George Williams:** Announced another driver who passed from National Cab. Discussed issue of the gas surcharge.

6. STAFF REPORT AND COMMISSIONER ANNOUCEMENTS [INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent.

Commissioner Annoucements, including the following points:

- Commissioner McGuire requests a discussion and possible action regarding the creation of an ordinance which would prohibit solicitation of passengers by hotel doorman. Use Houston, Littlerock and Birmingham' ordinance as models. Request

Director Machen to arrange a viewing of the police training video regarding the unlawful activity of limousines and also of a similar video publishing by the SFTA and include that as well in the agenda item. Requests to close in the memory of Bill Sargis and Austin James.

- Vice President Breslin thanked Executive Director for putting Commissioner Announcements on the Notice Section of the Consent Calendar. Commented on the article in the packet about Hybrid vehicles announced the St. Anthony's Dining Room who is raffling off a 2206 Hybrid Prius, tickets are on sale in North Beach outside of Moose's on Memorial Day.
- President Smith requests to calendar extending taxi schools for one more day for defensive driving and learning maps. Requested a hearing on Tesfaya Chuffa complaints, City Attorney Tom Owen is putting together a memo in this matter. Thanks Jaime Poblitz and Heidi Machen on putting together the outreach brochure but requested Commission see the draft before it is published.
- Commissioner Paek congratulated Commissioner's on doing a great job. Concerned with small size of staff in matters of keeping up with all the requests of the Commission.

PUBLIC COMMENT

- **Barry Taranto:** Taxis need to be considered part of public transportation system in San Francisco. Thanked the Commission and staff for preparing the brochure. Agrees with President Smith to extend taxi school, not only for defensive driving but for customer service. Notes on increase of illegal driving by taxi drivers during the day. Spoke on right hand arrow traffic signals and the need in certain areas of the city.

7. WEIGHTS AND MEASURES [INFORMATION AND POSSIBLE ACTION]

- **Supervisor of Weights and Measures of the City and County of San Francisco, Carmen Kern** gave an overview of the policies and practices of Weights and Measures. Provided Commissioners a packet of information and explained inspections of taxi meters.

Discussion ensued, including the following points:

- Vice President Breslin thanked Mrs. Kern for her presentation and attending the hearing. Inquired to the legislation regarding the fees and asks if the fees remain static after 2008 until 2111, so it doesn't increase every year.
- President Smith inquired to the increase of fees from 2005-2006 of $40.00. Carmen Kerns explained they have been charging that since the 80's, it was a different way and schedule in the past in determining how the fee was derived. Gave detailed information on price scale and inspection time. President Smith confirmed the one time fee of $72.00 and asked how many inspectors are doing

the cabs. Ms. Kerns explained there are four persons doing inspections including herself. President Smith inquired why San Francisco is the highest county in terms of costs for meter reading. Ms. Kerns explained it's a set state fee because they are a state agency. Weights and Measures are still part of the City Health Department but it is a complicated matter to explain.

PUBLIC COMMENT:

- **Robert Cesana:** Thanked Ms. Kerns for her presentation. Asks Weights and Measure to investigate the time clocks for shorts at the SFO Airport due to fraud and it should be enforced.
- **John Nakis:** Feels inspectors from Weights and Measures should go to the cab companies and do inspections of the cabs there because in the past this has worked more effectively.

8. DISCUSSION ON WORKER'S COMPENSATION LETTER FROM STATE FUND
[DISCUSSION AND POSSIBLE ACTION]

Commissioner Gillespie motions to continue item with Executive Director Heidi Machen to provide more information to the Commission. President Kwok seconded the motion. Motion passes 6-0.

AYES: Breslin; McGuire; Smith; Paek; Gillespie; Kwok
NOES: None
ABSENT: None
RECUSED: None

- **Executive Director Heidi Machen:** Gave brief overview of the worker's compensation letter provided by State Fund, read portion of letter to Commission.

PUBLIC COMMENT:

- **Robert Cesana:** Letter does not apply to Yellow Cab Company because cab drivers are stockholders of the company and a co-operative corporation. Additional information is needed.
- **Jim Gillespie:** SFTA & TPAC are concerned with the letter since State Fund is insurance company and not a state organization and does not concur with other decisions made by state courts over the past years. The President of our state association who is lawyer specializes is these matters and has sent a letter to Director Machen, mailed on May 4th. Before action is taken on this, the response from the Taxicab Paratransit Association of California be considered and

evaluated. Noted that Director Machen will be given a copy.

- **Ruach Graffis:**Permit and share holders are covered because they can also be employees, provides Commission of two examples: United Airlines employees who are also shareholders and a case law of pizza delivery employees who are all covered under worker's comp. The permit and share holders of Yellow fall under that umbrella. Everyone deserves protection in this business as we all know.
- **Frank Fahey:**Believes the city should be paying workers compensation and not the companies. Is there a way to get a balanced opinion on this issue?
- **Mark Gruberg:**State Fund is a insurance and not a state agency, feels an a opinion of the City Attorney's office is needed and further discussion should await that.

Discussion ensued, including the following points:

- Commissioner Gillespie feels the Commission is focused narrowly on permit holders. Has not seen the information provided by TPAC until tonight.
- Commissioner Paek agrees with Commissioner Gillespie and is concerned with the cost to drivers. Idea is good but doesn't want the effort to be turned into something different.
- Vice President Breslin agrees with both Commissioners and would like more reflection.
- Commissioner McGuire understood the Commission would like all drivers to be covered under worker's compensation. Suggests that drivers who want to be single shifters make themselves a limited liability corporation and they would be able to get the worker's comp for themselves. Vice President Breslin commented the Commission did not vote for that in the past and they didn't cover single shift drivers, we voted to cover drivers who were non-medallion holders. Commissioner McGuire feels we still have a problem if a driver is not covered who can get hurt.
- Commissioner Kwok clarified for those viewing they are not talking about life insurance. Feels they need a volunteer from the business lawyer expert area who will work with the Director and City Attorney to give a presentation.
- President Smith feels item is very complicated and confusing. Read paragraph from Aaron Davis's letter. State of California does not require state workers comp. Most owners have coverage so it protects the cab company.
- Vice President Breslin would like clarification on what the possible action would be on the letter. Commissioner Gillespie states the rules that only time we require drivers to have workers comp. is when they are changing color schemes. Letter addresses the issue of allowing single shifting drivers. Larger issue is whether the Taxi Commission or the Board of Supervisors wants to require it on a local level. President Smith discusses the TPAC Letter. Commissioner Gillespie feels that Commission should require workers comp. for all medallions and think about employers who have no drivers.
- Commissioner McGuire would like to ask Director Machen to draft some legislation that all drivers show proof of coverage to renew their medallions. Vice President

Breslin feels it is too soon to make a decision.

- Director Machen gives clarification on how companies are checked for workers compensation. Each color scheme has to complete a declaration form on a yearly basis showing they have coverage. We do not just check for coverage for a color scheme. Commissioner McGuire asks if everyone is in compliance and what happens if they are not. Director Machen reads list of color schemes who still need to turn in form and disciplinary actions can be taken both administrative fines and even revocation with not complying with Commission rules and municipal police code rules.
- City Attorney Tom Owen states requirement that companies are to be in compliance with State Worker's Compensation law which does not automatically transfer because it is complicated.
- Commissioner Gillespie motions to have some draft legislation or another hearing calendared on perhaps having a local ordinance requiring all companies and changing the law to say you have to be in compliance with State law since it doesn't apply in some cases. Moves to continue item. Commissioner McGuire feels the Commission has had enough time to view the letter and motions for the Director to provide more information. Director Machen offers to bring back more detailed information, rules & regulations, and various data to the Commission.

- **President Smith:** Requests a moment of silence in honor of Austin James and Bill Sargis.

9. ADJOURNMENT

Meeting adjourned at 9:45pm.

Respectfully Submitted,

Jaime Poblitz
Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

MARTIN SMITH, PRESIDENT, ext. 7
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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May 23, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the May 9, 2006 Taxicab Commission Meeting. [ACTION]
4. Taxis in Golden Gate Park and Proposal of Locating Taxi Stands in the Outer Richmond [DISCUSSION AND POSSIBLE ACTION]
5. Consideration of the Consent Calendar. [ACTION]
6. Public Comment (Please limit public comment to items **not** on the agenda).
7. Staff Report and Commissioner Announcements [INFORMATION]
8. Discussion of Summary Financial Statistics for Taxicab Operating Companies by the Controller's Office [INFORMATION & DISCUSSION]
9. Review of the Meter Rate and Gate Fee legislation introduced by Supervisor Ma. [DISCUSSION AND POSSIBLE ACTION] **Continued from February 28th, March 14th, 28th and April 11th*
10. Forming a Working Group for Taxi Driver's Health Care Plan [DISCUSSION AND POSSIBLE ACTION]
11. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Yahya M. Alalie	Omar S. N. Aldhaheri	Ahmed M. Almuflahi
Ahmad H. Alnaqib	Mark A. Anthony	Sunny Araya
Pyae Phyoe Aung	Akrum A. N. Al Chaithi	Soloman G. Chekol
Rodrigo Chiang	Ramdane Chouitem	Sebastiao Da Silva
Edevano P. De Souza	Martin Diky	Robert L. Edwards
Elhoucine Elmennani	Herbert O. Etim	Ashraf Gebreil
Emmanuel Geogopoulos	Mya Gyi	Moe A. Harb
Khin M. Htun	Ze Huai Huang	Syed K. Jalaal
Yusuf D. Jama	Maurice N. Kirwan	Belkacem Laoussadi
Phu Thanh Le	Carlos Mesquita	Ian M. Minich
Rustam R. Nadjimitdinov	Luis E. Oliver	Quinn M. Oliver
Francisco D. Pereira	Rama Das Ranson	Tsegai A. Reda
Januario C. Souza	Khushvir S. Suman	Kyaw S. Thein
Min Thein	Michael Q. Tran	Hla Tun
Ehsan Ullah	Htain Win	Alemayehu W. Workene
Su Hock Wu	Syed M. S. Yaqub	Atiya A. Yasin

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. Kenneth Liang	9054	Regents Cab to Desoto Cab

C. Consideration of the Taxi Commission to grant a Time Waiver to:

1. Rizal Sofian, List# 6-522
2. Joşeph Sierra , List# 6-377*

**Continued from May 9, 2006.*

D. Taxi Detail recommends the Taxi Commission to consider applicant(s) ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Keith D. Harris	6-394

E. Taxi Detail recommends the Taxi Commission to make the following applicants ineligible for a **Ramp** Medallion for failure to respond after noticed attempts or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #	Applicant Name	List #
1. Dorian Hawkey	6-516	5. Barry Korengold	6-521
2. Guillermo Tovar*	6-518	6. Nollie P. Griffin	6-523
3. Eric W. Tang	6-519	7. Jessie Reyes	6-524
4. Michael Lambert	6-520		

**Applicant has been granted a time waiver on May 9, 2006; thus his name is not to be removed from list.*

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F. The Taxi Detail recommends consideration from the Taxi Commission to remove deceased applicant name(s) from the Taxicab/Ramp Medallion waiting list:

Applicant Name	List #
1. Tanya (De Duran) Sinclair	6-403

G. Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from CityWide Dispatch back to Sunset Dispatch and to remove the name, George Lancia - Medallion # 846, from the Color Scheme Permit for Sunset Cab Company. ***Continued from April 25 & May 9, 2006*** *****Applicant withdrawals request of transfer of Sunset Cab Company color scheme back to Sunset Cab Dispatch. Sunset Cab will remain at City Wide Dispatch, but sustains request for the removal of George Lancia from the Color Scheme, and also requests David Xe be placed on Color Scheme.***

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 23, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1.COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. Joseph Klebanov	1277	Luxor Cab to Yellow Cab

B. Taxi Detail recommends the Taxi Commission to consider granting a Taxicab or Ramp Taxi Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. Kenneth Ung	6-399
2. David A. Herman	6-400
3. Donald Templeton	6-370
4. Kenneth Chan	6-354

C. Consideration of the Taxi Commission to grant a Time Waiver to:
1. Kye Rorie, List# 6-402

D. Commission Request to Calendar

President Martin Smith	Date of Request
Determine Workers Comp. Policy for gate & gas drivers. Also proper certificates.	n/a
Start-up color schemes & dispatch companies restricting size of companies at least 15 medallions.	n/a
Overflow calls in the dispatch room with the idea of referring those calls to dispatch companies without business.	n/a
Discussion on phony waybills.	n/a
Discussion on ramp taxi compliance (Police reports).	n/a
Discussion and possible action making all cab fleets 50% alternative fuel (by what date?).	n/a
Discussion on incentives for medallion holders buying new alternative fuel vehicles.	January 10, 2006
Discussion to replace Inspector Suslow, Officer Nevins, and Officer Ramos positions and add six more officers to the taxi detail.	January 10, 2006
Request to calendar discussion about the Mark Gruberg's UTW, Lazar Luxor Settlement.	January 10, 2006

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Discussion on the Daly-Ma Ordinance.	January 10, 2006
Discussion about ADA accommodations and who or whom should be issuing these accommodations.	January 10, 2006
Discussion about a follow up on the Controller's report and about the things they missed on their first report.	January 10, 2006
Meeting to discuss procedures applying for medallions changing from one color scheme to another.	January 24, 2006
Meeting discussing the new Controller's Report (financial statements summary for taxi companies)	January 24, 2006
Discussion asking the Board of Supervisors to license all bicycle riders. Also bicycles should have license plates.	March 14, 2006
Meeting with Carmen Kern of Weights and Measures about any new rules and regulations.	March 14, 2006
Discussion on having a designated person working for the cab fleets to assist the Police downloading the security cameras in the cabs.	March 28, 2006
Locating taxi stands in outer Richmond district.	April 25, 2006
Discussion on Workers Comp letter from State Fund.	April 25, 2006
Discussion on Waybills.	April 25, 2006
Request to calendar extending taxi school training for one more day for defensive driving and learning maps.	May 9, 2006
Request to calendar a hearing on Tesfaya Chuffa complaint	May 9, 2006
Vice President Breslin	**Date of Request**
Licensing bicycles; safety hearing regarding bikes and making streets safer.	April 25, 20006
Commissioner requests should fall under notice section.	April 25, 20006
Forming a working group for the health plan.	April 25, 20006
Service hearing.	April 25, 20006
Application process for taxi stands with DPT.	April 25, 20006
Commissioner McGuire	**Date of Request**
Posting of notices inside taxicabs and at various locations, informing the public that solicitation of ground transportation at SFO, SF hotels and streets is illegal. Also, advising the public how to identify taxicabs that are operating illegally in SF.	n/a
Taxis in Golden Gate Park – invite McGoldrick staff, Rec and Park, disability community (?) focus on tourists and the disabled.	April 25, 2006
Report on how much each company charges for a monthly lease	February 14, 2006
Review of recent price increases at the various companies. How do these prices equate to what companies charge for gate and gas cabs? Insurance....Both workers compensation and liability...are they purchased by lease. Who purchases the vehicle? What is the average price of a vehicle? What is the average cost of monthly maintenance and who pays for it?	February 14, 2006
Review of the controllers report regarding the long term lease and how it can be structured to fit within the gate cap legislation.	February 14, 2006
Requests a discussion and possible action regarding the creation of an ordinance which would prohibit solication of passengers by hotel doorman.	May 9, 2006
Requests Director Machen to arrange a viewing of the police training video regarding the unlawful activity of limousines and the SFTA video as well.	May 9, 2006

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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San Francisco Taxicab Commission

May 23, 2006

MINUTES

Commission Chambers – Room 400

City Hall,1 Dr. Carlton B. Goodlett Place

May 23, 2006

6:30PM

Regular Meeting

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Present: Breslin; Gillespie; Kwok; McGuire; Smith

Absent: Paek

PRESIDENT SMITH CALLED THE MEETING TO ORDER AT 6:40 PM.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz – Taxi Commission, Sergeant Vincent Simpson – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**
3. **CONSIDERATION OF THE MINUTES for the May 9, 2006 TAXICAB COMMISSION MEETING** [ACTION]

   Commissioner Gillespie motions to approve the minutes. Commissioner Kwok seconded the motion. Motion passes 4-0.

   AYES: Breslin; Gillespie; Smith; Kwok **NOES:** None

   ABSENT: Paek; McGuire **RECUSED:** None

   PUBLIC COMMENT: No public comment

4. **TAXIS IN GOLDEN GATE PARK AND PROPOSAL OF LOCATING TAXI STANDS IN THE OUTER RICHMOND** [ACTION]

   Commissioner McGuire motions Director Machen to send a letter to Department of

Parking and Traffic requesting taxi stands at both ends of the shuttle stops at Golden Gate Park. Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Smith; Kwok; McGuire **NOES:** None

ABSENT: Paek **RECUSED:** None

- **Executive Director Machen:** Introduced item to Commission on behalf of request made by Commissioner McGuire.

PUBLIC COMMENT

- **Ruach Graffis:**Attended the Mayor's Council on Disabilities meeting this past Friday and discussed this issue. Shuttle service will now be available in Golden Gate Park which will help people who are disabled, also discussed having taxi service on both ends of the shuttle stop. Noted Executive Director Machen was already on top of the matter.
- **Robert Cesana:** Discussed taxis in Golden Gate Park and the need for better taxi service in San Francisco.

Discussion ensued, including the following points:

- Commissioner Gillespie feels the Commission should pass a resolution urging the repeal of a portion of the ordinance, which should be sent to the Recreation and Parks Department for a recommendation, and then sent to the Board of Supervisors. Feels taxis should be able to pick passengers up in Golden Gate Park.
- Vice President Breslin feels Commission should look into getting permits and other ideas to address this issue in a timely manner. Commissioner Gillespie notes the Commission could not set up a taxi stand, because it would violate the law.
- Commissioner McGuire thanked Director Machen for bringing this item to the Commission. Inquires on the issue of a permit. Director Machen states the permits would have to come through Recreation and Park Commission and believes it would be for all dispatch companies.
- Commissioner McGuire asks the Director to prepare a resolution urging the Board to repeal the law.
- Director Machen clarifies the motion to ask the Board of Supervisors to repeal the law and include Recreation and Park Department in the recommendation.
- Vice President Breslin suggested the Commission should look into the application process for zones.
- Commissioner Gillespie feels there should be permit taxi stands in Golden Gate

Park and taxis should be able to cruise within the park to pick up passengers on flags. A joint resolution with Recreation and Park Commission to the Board of Supervisors urging the repeal of the law would be the way to go. Vice President Breslin needs to think more on issue and is not in favor of cruising for flags because it can be dangerous.

- Commissioner McGuire requests a letter to the Department of Parking and Traffic for taxi stands at the shuttle service.
- Commissioner Gillespie would like to clarify Commissioner Breslin's position on cruising for flags in the park. Vice President Breslin gives clarification and explains the wording is not fitting for a resolution and it's a mute point.
- Commissioner Kwok would like to repeal the ordinance but feels the wording should be chosen carefully. Would like action taken this evening.
- President Smith agrees with fellow Commissioners, feels taxi stand should be in front of the Tea Garden. Requests a motion to proceed.
- Commissioner McGuire motions to request Director Machen to prepare a resolution urging the Board of Supervisors to repeal section 6.09 from the San Francisco Park code and also to ask the Executive Director to prepare a letter to Recreation and Park Commission to join the Taxi Commission in urging the Board to repeal section 6.09 from the San Francisco Park Code. Vice President Breslin seconds motion for discussion; feels if the whole section is repealed other vehicles will be invited into the park for hire.
- Commissioner Gillespie agrees with Commissioner Breslin, and the park needs to maintain control for other vehicles. Director Machen clarifies ordinance to Commission. Commissioner Breslin requests for two different formats for resolution if Rec. & Park will put a taxi stand in.
- Commissioner McGuire withdraws motion. Commissioner Gillespie would like Director Machen to make some informal inquires about permitting a taxi stand and repealing the prohibition against drivers and come back to Commission with a draft resolution and prepare the possible resolutions. Commissioner McGuire would like to address taxi stands for shuttle stops. Commissioner Gillespie states the Commission is not going to make a motion tonight because we are going to ask our Director to ask Park and Recreation about what they are willing to accept with permitting a taxi stand as well as repealing this section and coming back with a possible resolution for us to send out to the Rec. & Park Commission and the Board of Supervisors. Commissioner McGuire motions to request Director Machen to send a letter to Department of Parking and Traffic requesting taxi stands at both ends of the shuttle stops. Commissioner Gillespie seconds motion.

5. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]

A. Commissioner Gillespie motions to approve 5A (Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver Permits). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Kwok **NOES:** None

ABSENT: Paek **RECUSED:** None

Approved Public Passenger Vehicle Driver Permits:

Yahya M. Alalie	Omar S. N. Aldhaheri	Ahmed M. Almuflahi
Ahmad H. Alnaqib	Mark A. Anthony	Sunny Araya
Pyae Phyoe Aung	Akrum A. N. Al Chaithi	Soloman G. Chekol
Rodrigo Chiang	Ramdane Chouitem	Sebastiao Da Silva
Edevano P. De Souza	Martin Diky	Robert L. Edwards
Elhoucine Elmennani	Herbert O. Etim	Ashraf Gebreil
Emmanuel Geogopoulos	Mya Gyi	Moe A. Harb
Khin M. Htun	Ze Huai Huang	Syed K. Jalaal
Yusuf D. Jama	Maurice N. Kirwan	Belkacem Laoussadi
Phu Thanh Le	Carlos Mesquita	Ian M. Minich
Rustam R. Nadjimitdinov	Luis E. Oliver	Quinn M. Oliver
Francisco D. Pereira	Rama Das Ranson	Tsegai A. Reda
Januario C. Souza	Khushvir S. Suman	Kyaw S. Thein
Min Thein	Michael Q. Tran	Hla Tun
Ehsan Ullah	Htain Win	Alemayehu W. Workene
Su Hock Wu	Syed M. S. Yaqub	Atiya A. Yasin

PUBLIC COMMENT

- **Thomas George Williams**: Requests information about how many drivers are on the waiting list.

B. Commission Gillespie motioned to approve 5B2 (Color Scheme Change for Medallion# 9054). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; McGuire; Smith; Kwok; Gillespie **NOES:** None

ABSENT: Paek **RECUSED:** None

Medallion Holder:	Medallion #:	Change:
1. Kenneth Liang	9054	Regents Cab to Desoto Cab

PUBLIC COMMENT: No public comment.

C. Commissioner Breslin motions to approve 5C1&2 (Consideration to grant a time waiver to Rizal Sofian & Joseph Sierra) and requests Director Machen to handle issue administratively if possible. Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Paek **NOES:** None

ABSENT: Kwok **RECUSED:** None

Approved Time Waiver:

1. *Rizal Sofian, List #6-522*
2. *Joseph Sierra, List 6-377*

PUBLIC COMMENT:

- **Robert Cesana**: Speaks on voting from last hearing from removal of An Chan from list.

Discussion ensued, including the following points:

- Commissioner Gillespie requests Mr. Sofian to speak to Commission. Inquires on how long he has been driving a taxi. Mr. Sofian started in 1984 as a full-time driver and needs to fulfill extra hours for the ramp taxi medallion.
- Mr. Sierra is requested to speak to Commission. Explains he took a leave of absence after 24 years because of a medical issue. The last two years he has takes ill and has not been able to drive. Has an accommodation for the driving requirement currently. Commissioner Kwok receives clarification from Mr. Sierra.
- Vice President Breslin states how the Daly Ma does not discuss disability issue which is the reason why she grants time waivers. Director Machen states the office could possibly handle this administratively.
- Commissioner Kwok asks if the Commission has the power to grant physical exemption based on certain cases and if it would interfere with Daly Ma? Director Machen addresses Commissioner Kwok and explains the Commission passed resolution to grant a 1 year time waiver, in addition, the resolution

gives the first time waiver as a matter of right.

- Vice President Breslin makes a motion to approve the time waiver and for the Director to pursue administrative remedies.

D. Commissioner Gillespie motions to approve 5D (Consideration to make applicants ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Kwok **NOES:** None

ABSENT: Paek **RECUSED:** None

Applicant no longer eligible for a Taxicab Medallion and removed from the waiting list:

Applicant Name	List #
1. Keith D. Harris	6-394

PUBLIC COMMENT

- **James Cortesos**: Speaks on Keith Harris and the fact he has been a full-time San Francisco cab driver and had his leg amputated.
- **Commissioner McGuire**: Inquires if Mr. Harris has been properly notified.
- **Sergeant Simpson**: Mr. Harris has been noticed by our Detail and has not responded.
- **Commissioner Kwok**: Does not feel this is the same case as the others.
- **Commissioner McGuire**: It is the drivers responsibility to update the Taxi Detail on a change of address.

E. Commissioner Breslin motions to approve 5E (Consideration for applicants ineligible for a Ramp Medallion for failure to respond after noticed attempts or for declining a Ramp Medallion). Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; McGuire; Smith; Kwok **NOES:** None

ABSENT: Paek **RECUSED:** None

Applicant Name	List #	Applicant Name	List #
1. Dorian Hawkey	6-516	5. Barry Korengold	6-521

2. Guillermo Tovar*	6-518	6. Nollie P. Griffin	6-523
3. Eric W. Tang	6-519	7. Jessie Reyes	6-524
4. Michael Lambert	6-520		

**Applicant has been granted a time waiver on May 9, 2006; thus his name is not to be removed from list.*

PUBLIC COMMENT: No public comment.

Vice President Breslin: Notes for applicant # 2 will not be removed since he has a time waiver and the item will be severed.

F. Commissioner Kwok motions to approve 5F (Consideration of the Taxi Commission to remove deceased applicant name from the Taxicab/Ramp Medallion waiting list). Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Breslin; McGuire; Smith; Gillespie; Kwok **NOES:** None

ABSENT: Paek **RECUSED:** None

Applicant Name	List #
1. Tanya (De Duran) Sinclair	6-403

PUBLIC COMMENT: No public comment.

G. Commissioner Gillespie motions to continue 5G (Consideration of the Taxi Commission to grant a change of Dispatch Service for Sunset Cab from CityWide Dispatch back to Sunset Dispatch and to remove the name, George Lanci-Medallion #846, from the Color Scheme Permit for Sunset Cab Company. Applicant withdrawls request of transfer of Sunset Cab Company color scheme back to Sunset Cab Dispatch. Sunset Cab will remain at City Wide Dispatch, but sustains request for the removal of George Lancia from the Color Scheme, and also requests David Xe be placed on the Color Scheme). Commissioner Breslin seconded the motion. Motion passes 5-0.

AYES: Breslin; McGuire; Smith; Gillespie; Kwok **NOES:** None

ABSENT: Paek **RECUSED:** None

- **Executive Director Machen:** Announces applicant has requested to continue item.

6. **PUBLIC COMMENT** [INFORMATION AND DISCUSSION]

- **Robert Cesana:** Commented on Tristan Bettencourt and asked the Commission to request the Taxi Detail to investigate and put an end to the whole issue.
- **Attorney Joyce Jordan:** Gives clarification to the Commission on Tristan Bettencourt provides Commission with documentation.
- **Tariq Mehmood:** Spoke on issue of gate cap on the agenda and speakers should be allowed to speak on it. Discussed sfgate article.
- **Barry Taranto:** Addressed issue of the violation of ramp taxi medallion holders who are putting the regular ramp taxi medallions in spare sedans. Feels illegal limousine and town cars are increasing in numbers and are still at major hotels. Spoke on Matier & Ross article in the chronicle. Urges Commission to view the SFPD video on illegal town cars.
- **Mark Gruberg:** Spoke on time waiver issue, UTW had taken a more flexible approach to the Daly Ma and issuing medallions which was rejected and it never became part of the legislation. I think it would be a point to amend it and would answer some of the problems and issues.
- **Blake Derby:** Spoke on Proposition K and doesn't feel that transportation should be socialized and private ownership is much better.
- **Laurie Graham:** Discussed regulations for issuing a ramp taxi. Feels there is a problem for night shifters to get orders and someone the Commission should try to figure something out for the long time drivers.
- **Commissioner Kwok:** Requests Laurie to talk to him about this issue.
- **Commissioner Gillespie:** Do you think it is not achievelabe to pick up 100 pickups in six months?
- **Laurie Graham:** For a day driver it's easy.
- **Commissioenr Gillespie:** Do you think we should change that number?
- **Laurie Graham:** I would recommend you take into consideration what the driver has been doing for the last year.
- **Carl Macmurdo:** Attended the Universal Health Care Council task force meeting, the next meeting is Monday June 12th, and urges people to attend. Speaks on health care issue. Addresses Mr. Sierra's case and the ADA resolution that was passed by Commission. Feels an amendment to Daly Ma is necessary.
- **Thomas George-Williams:** Doesn't think taxi drivers make a lot of money but medallion holders keep making more money. Debit card system should be applied

to drivers to know who is driving. Supports legislation that solicitation of doorman is illegal and should be placed on agenda.

- **David Pilpel:** Reminds Commission of non-interference clause in the charter in relation to Tristan Bettencourt's matter. This Commission takes a lot longer than others to get through the consent calendar. Meetings starts at 6:30 p.m. if we could find a way to make the start time at 5:30 p.m. Personal identifying information about applicants are in the packets and I am happy to work with your staff where redaction may be appropriate. Comments on wheelchairs on ramp taxis.
- **Vice President Breslin:** Inquires if Mr. Pipel's comments are representative of the Ethics Commission.
- **DavidPilpel:** I am not a member of the Ethics Commission, I am a member of the Sunshine Ordinance Task Force, I was speaking as an individual.
- **Anne McVeigh:** Speaks on Tristan Bettencourt's issue.
- **Jim Gillespie:** Discussed the issue of managers who are medallions holders who are not working. Received a notice of an administrative hearing and doesn't understand the motivation of going after his medallion and asks the Commission to reconsider this action.
- **President Smith:** Is there a defacto management policy now?
- **City Attorney Tom Owen:** This is going to be before you in a disciplinary context and you should be careful about what discussions you have now.

7. STAFF REPORT AND COMMISSIONER ANNOUCEMENTS [INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent.
- **Sergeant Simpson:** Gave brief update on robbery incident and gave overview of SFPD training video.

Commissioner Announcements:

- Commissioner McGuire requests a discussion and possible action regarding a recommendation to the Board of Supervisors Budget Committee to support Mayor Newsom in his request for allocation of 19 million dollars for street improvements.
- Vice President Breslin announced a street closure on Stockton St. on Memorial Day near the park because of the 30th Annual Penny Pitch which raises money for St. Anthony's dining room. The Bay Bridge is closing down a lot more frequently because of the ongoing repairs, perhaps the Executive Director can place a link on our website. The Hilton in the financial district is putting in a taxi stand on Washington. Request to calendar a hearing on Jim Gillespie's case.
- President Smith requests to calendar a hearing on Mr. Abraham Ahwid about his position on the medallion waiting list. Request to calendar a hearing on Tesfya

Chuffa on placement on the medallion list. Request to calendar the defacto management policy that has been in place for the past five years.

PUBLIC COMMENT:

- **Barry Taranto:** Spoke on administrative hearing process, feels Commission should not make an exception and should follow the rules. Cab stand on 750 Kearny St. should stay and should not move to Washington and feels Commissioner Breslin should not be involved in this matter. Discussed 1095 forms and reported Sunset cab has not been responsible in informing about the filing.
- **Thomas George-Williams:** Kearny St. taxi stand is active and is currently used and you will not get a ticket.
- **David Pilpel:** In response to Commissioners Breslin's comment on the Bay Bridge closure, Caltrans may be able to provide the Commission a presentation on the retrofit. Commends the agenda notice section for Commission request to calendar; suggests adding a column for planned Commission Dates.
- **Tariq Mehmood:** Discussed the Kearny St. taxi stand and the problem of buses using taxi stands at hotels.

8. DISCUSSION OF SUMMARY FINANCIAL STATISTICS FOR TAXICAB OPERATING COMPANIES BY THE CONTROLLER'S OFFICE [INFORMATION AND DISCUSSION]

Commissioner Gillespie motions to continue to the call of the Chair based on the Controller's participation. Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; Gillespie; Smith; Kwok; McGuire **NOES:** None

ABSENT: Paek **RECUSED:** None

- **President Smith:** Todd Rystrom could not may it here this evening because he is working on the Mayor's Budget; suggests continuing item until a Mr. Rystrom can be present.

PUBLIC COMMENT:

- **Robert Cesana:** Doesn't know how Commission can address the next two items because they are all interconnected, finances needs to be established first. Item #9 is also related to this item.

9. REVIEW OF THE METER RATE AND GATE FEE LEGISLATION INTRODUCED BY SUPERVISOR MA. [DISCUSSION AND POSSIBLE ACTION]

Commissioner Gillespie motions to continue item with Executive Director Heidi Machen to provide more information to the Commission. President Kwok seconded the motion. Motion passes 4-1.

AYES: McGuire; Smith; Gillespie; Kwok **NOES:** Breslin

ABSENT: Paek **RECUSED:** None

- **President Smith:** Asked if Commission would like to continue item to a future date.

PUBLIC COMMENT:

- **Robert Cesana:** Believes there is a different proposal that is a straight meter increase, discusses issue to Commission.
- **Barry Taranto:** Discussed issue of a gas surcharge and feels Commission should be in an agreement and support taxi drivers who are paying high gas prices. Would like to see the support of the Commission for a gas surcharge and is in support of Janet Reilly.
- **Thomas George-Williams:** The legislation is bad and should be sent back. We need a flexible surcharge.
- **Carl MacMurdo:** Issue is confusing because it has come to us in different forms. Spoke on meter rate and gate increase, feels advantage of having meter increase rather that a gas surcharge.
- **Jim Gillespie:** Area that is problematic is the wording of his report regarding feasibility, understand what the gate is currently and move forward. Commission should try to come to a resolution or a recommendation.
- **Anne McVeigh:** Drivers are getting hammered by gas prices and would not like to see a meter increase due to a reduction in business. Feels the gate cap is unconstitutional, the Commission has the right to regulate the rates that are charged to the public but not to go into private business.

Discussion ensued, including the following points:

- Commissioner Breslin would like to go forward with hearing legislation. Commissioner McGuire agrees to go forward and is not in support to meter or gate increase or sunset on the gate cap. Drivers in San Francisco need a gas surcharge now, I would change to 75 cents instead of a 1 dollar, in section 1135.b. Motions to create a resolution to Supervisor Fiona Ma in support of Section 11.35b with amendment to change $1.00 to $0.75, also that the Taxi Commission does not

support any sunset on the gate cap nor do we support any gate or meter increases at this time. Commissioner Kwok seconds motion.

- Commissioner Gillespie states the legislations says that we should add a $1.00 and eliminate the gate cap, feels at the last hearing the Commission had a good discussion on not to support it. Doesn't feel it should be on the agenda and other reports from other agencies should be taken into consideration. Commissioner McGuire is not in support in eliminating gate control. Withdraws previous motion and would like a letter sent to Fiona Ma saying we do not support this in any way. Gillespie seconds motions.
- Commissioner Breslin agrees with Commissioner Gillespie that other factors should be taken into consideration but feels something should be move forward. Commission McGuire requests to reject entire package.
- President Smith agrees with Commissioner Gillespie, does feel there should be a gate cap because the drivers need the help. Commissioner Gillespie inquires to Attorney Tom Owen if Commission can discuss alternatives to what is proposed.
- Commissioner McGuire we can't keep continuing this, we need to send a letter to Supervisor Ma and calendar this subject in the future to craft our own legislation.
- Attorney Tom Owen recommends Commission to send communication to Supervisor Ma as they do not support the legislation in its current form but are intending to work on something to propose in its place.
- Commissioner Breslin agrees with the legislation. Commission Gillespie motions to recommend to Supervisor Ma to withdraw the legislation and the Taxi Commission re-agendize this item and make a recommendation based on our findings. Commissioner Kwok requests a friendly amendment to state that the Commission cannot support the legislation.
- Director Machen states request; the Commission is not supporting the legislation as currently drafted and would like to work on a proposal in going forward.

10. FORMING A WORKING GROUP FOR TAXI DRIVER'S HEALTH CARE PLAN.
[DISCUSSION AND POSSIBLE ACTION]

Commissioner Gillespie motions to continue item and have Director Machen draft two resolutions; one passive body working group and the other formal body working group. President Kwok seconded the motion. Motion passes 5-0.

AYES: McGuire; Smith; Gillespie; Kwok; Breslin **NOES:** None

ABSENT: Paek **RECUSED:** None

- **President Smith:** Requests to continue item since the Mayor's office is coming out with medical program.

PUBLIC COMMENT:

- **David Pilpel:** Clarifies difference of policy body and a passive meeting body. If you create this health care working group then it's a policy body and has to meet all the requirements of Sunshine. If you request the Director to create the body then it's a passive meeting body. The resolution as its currently crafted merges the two, and gives specific language changes to resolution.
- **Mark Gruberg:** Urges the Commission to go forth with the group since it is several years overdue. Mayor's group is discussing an entirely different idea to San Francisco residents. Majority of drivers live outside of San Francisco.
- **Barry Taranto:** Agrees with Mr. Pilpel's amendments to the resolution and feels the Commission should go forth with the working group but extend to four months; plan should apply to drivers and their families.
- **Robert Cesana:** Feels resolution is good and should go forth. Discusses financial matter of health care plans to medallion holders or owners of companies.
- **Thomas George-Williams:** Feels Commission should create the working group.

Discussion ensued, including the following points:

- Commissioner Gillespie refers to David Pilpel's comments and inquires if the resolution would pertain to who creates the working group. Director Machen explains the wording can be changed to make it a bit clearer, but the intent of the resolution to allow the Executive Director to form a group and go by the passive meeting laws. Feels this is the way to go to getting health care benefits to taxi drivers.
- Commissioner Kwok clarifies issue on what is being requested by the Commission.
- Commissioner McGuire does not support the passive meeting, would like to see public meetings and to have three Commissioner's work with Director Machen to select the panel; Gillespie, Kwok, and Breslin. Commissioner Gillespie comments on the advantage of continuing item till next hearing. Would like to receive a briefing on what it entails, a Commission created policy body as opposed to a working group that's subject to passive laws.
- Director Machen recommends the resolution will be redrafted with amendments as one option as a passive body option and include the distinction between the passive meeting body vs. the more formal process. I could also write the other resolution for a more formal Committee established; the Commission would then have a choice between the two.
- Commissioner Gillespie motions to continue item till next meeting and have Director Machen draft two resolutions.

11. ADJOURNMENT

Meeting adjourned at 9:42pm.

Respectfully Submitted,

Jaime Poblitz

Executive Secretary

06 06-07 PM 03:14 RCVD

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

MARTIN SMITH, PRESIDENT, ext. 7
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

June 13, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Roll Call
3. Consideration of the Minutes for the May 23, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Public Comment (Please limit public comment to items **not** on the agenda).
6. Staff Report and Commissioner Announcements [INFORMATION]
7. Taxis in Golden Gate Park; Resolution Urging Change [DISCUSSION AND POSSIBLE ACTION]
8. Meter Rate and Gate Fee Assessment for Recommendation to Board of Supervisors [DISCUSSION AND POSSIBLE ACTION]
9. Consideration of Final Decision by Executive Director Regarding Recommendation submitted by the Taxi Commission Hearing Officer for Lahcen Chnaf (Badge# 54790) with Consideration of Permanent Revocation of Public Passenger Vehicle Driver Permit and Penalty Fine. [ACTION]
10. Resolution Supporting Mayor Newsom in his Request for the Allocation of nearly $22 Million for Street Improvements. [DISCUSSION AND POSSIBLE ACTION]
11. Resolution Recommending Support of AB2600 in Extending HOV Lane Privileges to Inherently Low Emission Vehicles (ILEV). [DISCUSSION AND POSSIBLE ACTION]
12. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Farah Abdi	Kamol D. Akhmedov	Salah A. Alserati
Rufus D. Ashford	Ghan P. Dabadi	Rebecca L. Danis
Abdo M. H. Dhaifallah	Kevin P. Dickson	Zaher I. Eyad
Dagnachew A. Fanta	Michael A. Goodwin	Gary B. Heil
Sam M. Htun	Aziz M.K. Hugais	Ahmed Kaci
Abylkhair Kadreshev	Orville B. Largo	Brandiwyne E. MacDonald
Zaw Min Maung	Getinet F. Mulugeta	Khaing O. Myo
Phillip T. W. Ng	Rosimar B. Pinto	Iranna G. Rampur
Raad J. Abu Shaer	Rajinder Singh	Peter K. Tam
Sin Hin Wong		

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. Joseph Klebanov	1277	Luxor Cab to Yellow Cab

C. Consideration of the Taxi Commission to grant a Time Waiver to:

1. Kye Rorie, List# 6-402

D. Taxi Detail recommends the Taxi Commission grant a Taxicab or Ramp Taxi Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Ken Ung	825	Yellow Cab
2. David A. Herman	643	Arrow Cab
3. Donald Templeton	362	DeSoto Cab
4. Kenneth Chan	666	Luxor Cab

E. Request from medallion holder to surrender his medallion:

Medallion Holder:	Medallion #:
1. John Hattan	1004

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

A. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the June 27, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

1. COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. Samson Tam	562	Regent Cab to Fog City Cab
2. Lawrence Paul	376	Veterans Cab to Arrow Cab
3. Thomas James Callan	56	Metro Cab to National Cab

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B. Taxi Detail recommends the Taxi Commission to consider applicant(s) ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. James Donnelly	6-395
2. Stephen Agetstein	6-398
3. Lou Riegel	6-401
4. Edwin Yuen	6-406
5. Robert Hughes	6-404

C. Taxi Detail recommends the Taxi Commission to make the following applicants ineligible for a **Ramp** Medallion for failure to respond after noticed attempts or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Shery Lynn Giorgetti	6-527
2. Thomas C. Stern	6-528
3. Reza Ghorbani*	6-531
4. Pascal Cosentino	6-534
5. James Mallon	6-537
6. Khanh X. Tran*	6-543

** Applicant Declined*

D. Consideration of the Taxi Commission to Revoke Taxicab Medallion Holder Permit for failure to file a Sworn Statement as required by San Francisco Municipal Police Code Section 1095:

Medallion Holder Name	Medallion #	Color Scheme
1. Tara Housman	984	DeSoto
2. Carlton A. Hubbell	559	Yellow

E. Commission Request to Calendar

President Martin Smith	Date of Request	Planned Hearing Date
Determine Workers Comp. Policy for gate & gas drivers. Also proper certificates.	n/a	
Start-up color schemes & dispatch companies restricting size of companies to at least 15 medallions.	n/a	
Overflow calls in the dispatch room with the idea of referring those calls to dispatch companies without business.	n/a	
Discussion on phony waybills.	n/a	
Discussion on ramp taxi compliance (Police reports).	n/a	
Discussion and possible action making all cab fleets 50% alternative fuel (by what date?).	n/a	
Discussion on incentives for medallion holders buying new alternative fuel vehicles.	January 10, 2006	
Discussion to replace Inspector Suslow, Officer Nevins, and Officer Ramos positions and add six more officers to the taxi detail.	January 10, 2006	
Request to calendar discussion about the Mark Gruberg's UTW, Lazar Luxor Settlement.	January 10, 2006	
Discussion on the Daly-Ma Ordinance.	January 10, 2006	
Discussion about ADA accommodations and who or whom should be issuing these accommodations.	January 10, 2006	
Discussion about a follow up on the Controller's report and about the things they missed on their first report.	January 10, 2006	
Meeting to discuss procedures applying for medallions changing from	January 24, 2006	

one color scheme to another.		
Meeting discussing the new Controller's Report (financial statements summary for taxi companies)	January 24, 2006	June 27, 2006
Discussion asking the Board of Supervisors to license all bicycle riders. Also bicycles should have license plates.	March 14, 2006	
Discussion on having a designated person working for the cab fleets to assist the Police downloading the security cameras in the cabs.	March 28, 2006	
Discussion on Waybills.	April 25, 2006	
Request to calendar extending taxi school training for one more day for defensive driving and learning maps.	May 9, 2006	
Request to calendar a hearing on Tesfaya Chuffa complaint	May 9, 2006	
President Smith requests to calendar a hearing on Mr. Abraham Ahwid about his position on the medallion waiting list.	May 23, 2006	
Request to calendar the defacto management policy that has been in place for the past five years.	May 23, 2006	
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Licensing bicycles; safety hearing regarding bikes and making streets safer.	April 25, 20006	
Forming a working group for the health plan.	April 25, 20006	May 23 & June 27, 2006
Service hearing.	April 25, 20006	
Application process for taxi stands with DPT.	April 25, 20006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Commissioner McGuire	**Date of Request**	**Planned Hearing Date**
Posting of notices inside taxicabs and at various locations, informing the public that solicitation of ground transportation at SFO, SF hotels and streets is illegal. Also, advising the public how to identify taxicabs that are operating illegally in SF.	n/a	
Report on how much each company charges for a monthly lease	February 14, 2006	
Review of recent price increases at the various companies. How do these prices equate to what companies charge for gate and gas cabs? Insurance....Both workers compensation and liability...are they purchased by lease. Who purchases the vehicle? What is the average price of a vehicle? What is the average cost of monthly maintenance and who pays for it?	February 14, 2006	
Review of the controllers report regarding the long term lease and how it can be structured to fit within the gate cap legislation.	February 14, 2006	
Requests a discussion and possible action regarding the creation of an ordinance which would prohibit solicitation of passengers by hotel doorman.	May 9, 2006	
Requests Director Machen to arrange a viewing of the police training video regarding the unlawful activity of limousines and the SFTA video as well.	May 9, 2006	June 13, 2006
Commissioner McGuire requests a discussion and possible action regarding a recommendation to the Board of Supervisors Budget Committee to support Mayor Newsom in his request for allocation of 19 million dollars for street improvements.	May 23, 2006	June 13, 2006

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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San Francisco Taxicab Commission

June 13, 2006

MINUTES

Commission Chambers – Room 400

City Hall,1 Dr. Carlton B. Goodlett Place

June 13, 2006

6:30PM

Regular Meeting

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Present: Gillespie; Kwok; McGuire; Smith; Paek

Absent: Breslin

PRESIDENT SMITH CALLED THE MEETING TO ORDER AT 6:35 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz – Taxi Commission, Sergeant Vincent Simpson – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – Roll Call showed a quorum was present.**
3. **CONSIDERATION OF THE MINUTES for the May 23, 2006 TAXICAB COMMISSION MEETING** [ACTION]

   Commissioner Gillespie motions to approve the minutes. Commissioner Kwok seconded the motion. Motion passes 5-0.

   AYES: Gillespie; Smith; Kwok; Paek; McGuire **NOES:** None

   ABSENT: Breslin **RECUSED:** None

PUBLIC COMMENT

- **MarkGruberg:** Points out error in minutes on Item 10, forming a working group for taxi drivers health care plan. A motion to continue was made by Commissioner Gillespie for the Director to draft two resolutions for the next meeting which is tonight, and it is not on the agenda. Comments on meter rate and gate fees, item has been on the agenda seven times. Feels it is an abuse of authority by the President.

4. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]

A. Commissioner Gillespie motions to approve 4A (Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver Permits). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Gillespie; McGuire; Smith; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

Approved Public Passenger Vehicle Driver Permits:

Farah Abdi	Kamol D. Akhmedov	Salah A. Alserati
Rufus D. Ashford	Ghan P. Dabadi	Rebecca L. Danis
Abdo M. H. Dhaifallah	Kevin P. Dickson	Zaher I. Eyad
Dagnachew A. Fanta	Michael A. Goodwin	Gary B. Heil
Sam M. Htun	Aziz M.K. Hugais	Ahmed Kaci
Abylkhair Kadreshev	Orville B. Largo	Brandiwyne E. MacDonald
Zaw Min Maung	Getinet F. Mulugeta	Khaing O. Myo
Phillip T. W. Ng	Rosimar B. Pinto	Iranna G. Rampur
Raad J. Abu Shaer	Rajinder Singh	Peter K. Tam
Sin Hin Wong		

PUBLIC COMMENT: No public comment.

B. Commission Gillespie motioned to approve 4B1 (Color Scheme Change for Medallion #1277). Commissioner Kwok seconded the motion. Motion passes 4-0.

AYES: McGuire; Smith; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** Gillespie

Medallion Holder:	**Medallion #:**	**Change:**
1. Joseph Klebanov	1277	Luxor Cab to Yellow Cab

PUBLIC COMMENT: No public comment.

C. Commissioner Gillespie motions to approve 4C1 (Consideration to grant a time waiver to Kye Rorie). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Gillespie; McGuire; Smith; Paek; Kwok **NOES:** None

ABSENT: Breslin **RECUSED:** None

Approved Time Waiver:

1. Kye Rorie, List #6-402

PUBLIC COMMENT:

- **Kye Rorie**: I have requested a time waiver until the end of the year in order to qualify for the driving requirement.
- **Commissioner Gillespie**: Inquires on when Mr. Rorie received his A-card.
- **Kye Rorie**: In 1984 and I have been driving since then but I need extra time. Currently works for Luxor Cab.
- **Commissioner McGuire**: Inquires how many hours per year drivers need to complete to receive a medallion.
- **Director Machen**: It is 800 hours per year.
- **KyeRorie**: I took time off in 2006 because of Bill Sargis passing, I was filling in as a cashier.

D. Commissioner Kwok motions to approve 4D1 (Grant a Taxicab or Ramp Taxi Medallion Holder Permit). Commissioner McGuire seconded the motion. Motion passes 4-0.

AYES: McGuire; Smith; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** Gillespie

PUBLIC COMMENT: No public comment.

Commissioner Gillespie motions to approve 4D2 (Grant a Taxicab or Ramp Taxi Medallion Holder Permit). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Gillespie; McGuire; Smith; Kwok ; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

PUBLIC COMMENT: No public comment.

Commissioner Gillespie motions to approve 4D3 (Grant a Taxicab or Ramp Taxi Medallion Holder Permit). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Gillespie; McGuire; Smith; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

PUBLIC COMMENT: No public comment.

Commissioner Gillespie motions the Commission staff to issue the next available medallion to Mr. Chan (Grant a Taxicab or Ramp Taxi Medallion Holder Permit). Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Gillespie; McGuire; Smith; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

Approved Medallion Holder Permits:

Applicant Name	Medallion#
1. Ken Ung	825
2. David A. Herman	643
3. Donald Templeton	362
4. Kenneth Chan*	666

**Applicant does not accept medallion 666; applicant waiting till the next medallion becomes available. See notes at end of minutes for additional discussion.*

PUBLIC COMMENT

- **Kenneth Chan**: Feels medallion number assigned to him, 666 is filled with negative connotations and he has been not sleeping well because of it. Requests Commission to offer him an option to receive a another number or the next one on the list.
- **Thomas George Williams**: Comments on medallion numbers and feels Commission should work something out for Mr. Chan.

Discussion ensued, including the following points:

- Commissioner Gillespie would like to accommodate Mr. Chan if possible but for tonight the Commission should approve his medallion. Motions to approve.
- Commissioner McGuire feels Commission can't change the number and the applicant will have to wait for the next number.
- Commissioner Kwok suggests to ask Mr. Chan to accept the medallion now and in the future to create a number to replace 666.
- Commissioner Paek feels Commission should respect Mr. Chan's request and figure out how they can accommodate him since it affects his livelihood.
- Commissioner Gillespie asks Sergeant Simpson about retiring a number.
- Sergeant Simpson references the Julie Day case where a zero was added to the medallion. In terms of medallion 666, he feels uncomfortable of adding because it is a three digit number. It is the Commission call if they want to accommodate this applicants request to wait for the next medallion number up.
- President Smith asks the City Attorney if Mr. Chan can give this medallion up for the next person on the list and he wait for the next number. Asks Mr. Chan what he would like to do.
- Kenneth Chan asks if he could have some time to think about it. Expresses to Commission how passengers do not want to get into the cab 666 especially at night. Commissioner Paek explains to Mr. Chan what decision he has to make.
- Commissioner Gillespie asks if Mr. Chan can postpone for two weeks to get medallion 1004 which is being surrendered.
- Kenneth Chan requests to give his decision at the end of the meeting.

E. Commissioner Gillespie motions to approve 4E (Request from medallion holder to surrender his medallion). Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Gillespie; McGuire; Smith; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

Medallion Holder	Medallion #
1. John Hattan	1004

PUBLIC COMMENT: No public comment.

5. PUBLIC COMMENT [INFORMATION AND DISCUSSION]

- **Barry Taranto:** Requests Commission to hold a hearing regarding the issue at

750 Kearny St. Discusses the need for more cab stands at the ballpark and the problem of illegal limousines. Budget should be allocated to pay taxi detail to enforce the limousines. Announces in July two days of soccer games at Monster Park and cab drivers should be informed of the business.

- **President Smith:** Asks if the commercial alley way could be used.
- **Barry Taranto:** A school is located there and parents need to pick up and drop off kids.
- **Murai:** Speaks on Proposition K and how is makes San Francisco so unique. Extreme disability needs to be taken into consideration but otherwise it is very fair and good.
- **Norma L. Geer:** Feels drivers are caught in the middle of Proposition K and drivers wouldn't have waited to end up losing it in the end. Daly Ma legislation is moving the list along. Limousines need to be controlled.
- **Ed Heely:** Speaks on the increase of the illegal limousines especially a certain company with the number 1zz. Item should be placed on the agenda for discussion.
- **Christian Lewis:** Questions the legality of companies requiring deposits from drivers.
- **City Attorney Tom Owen:** It will be looked into.
- **Ruach Graffis:** Responds to Mr. Lewis. Drivers have been given their deposits back under the Tracy case against Yellow & Luxor, the only company that is allowed to require deposits is Desoto. Everyone else can charge a certain amount only after an accident. Gives personal incident of being picked by an illegal limousine.
- **Steve Johnston:** Gives handout on illegal limousines to Commissioners. Inquires why illegal taxis and limousines are allowed to operate in San Francisco.
- **President Smith:** Inquires on handout.
- **Robert Cesana:** Speaks on Tristan Bettencourt.
- **Spanky Woods:** Discusses illegal limousines, gives personal experience of the public trying to get a ride in his personal unmarked taxi.
- **Thomas George Williams:** Speaks on limousines with 1zz markings, feels action needs to be taken. Feels 750 Kearny St. issue should be placed on the calendar as well as the health care working group issue.
- **Tariq Mehmood:** Speaks on Proposition K and the difference of the two groups of the drivers. Medallion holders change attitude and go against other drivers. Medallions should have a limit of three years.
- **Michael Spain:** Speaks on the fuel efficiency of automobiles. Crown Victoria is the largest automobile on the road and is not fuel efficient. Feels taxi companies should be encouraged to purchase more fuel efficient cars by lifting the gate cap on those who purchase the vehicles.

- **Tom Stanghellini:** Speaks on taxi stands at hotels and how drivers are not allowed to pick up passengers. Discusses medallion holders who are driving consistently. Commends Commission on getting rid of people who are not cab drivers from the list.

6. STAFF REPORT AND COMMISSIONER ANNOUCEMENTS [INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent. Viewed SFPD Taxi Detail training video on illegal limousines.

Commissioner Announcements:

- Commissioner Gillespie gave an overview of his trip to the city of Chicago in discussing his experiences on hybrid taxis.
- Commissioner McGuire requests to calendar a discussion and possible action on restoring the cab stand at 750 Kearny St.
- Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.
- President Smith request to calendar a discussion on the waybill policy and punishment of incorrect waybills. Waybills should be kept at the company and not be brought to the Taxi Commission office. Request to calendar a discussion on the DPT Hearing Officer and come up with a new system. Request to calendar a discussion to revisit the ADA modifications and who will give those modifications and what procedures will be used to get those modifications. Request to calendar to all Commissioners be notified of the impending disciplinary actions going before the hearing officer. Request to calendar that all Commissioners are notified of any correspondence before it goes out of the Taxi Commission office. Congratulated Vice President Breslin for being honored as one of the top 100 women in the Bay Area.

PUBLIC COMMENT

- **Barry Taranto**: Commends Officer Makaveckas for resolving the issue in front of 250 Beach St. which confirmed the cab stand so taxis are not kicked out. Discussed 750 Kearny St and the need for signage to be placed. Feels President Smith's announcement on reviewing all correspondence is micro-managing, if there are any problems hold a closed session. Feels it is important to mention about hybrids and alternate funding.

7. TAXIS IN GOLDEN GATE PARK; RESOLUTION URGING CHANGE [DISCUSSION AND POSSIBLE ACTION]

Commissioner McGuire motions to approve Resolution #71 urging the Board of Supervisors to repeal part or all of San Francisco Park Code 6.09 pertaining to driving or parking taxis in San Francisco parks for the purpose of procuring customers; and urging Recreation and Park Commission to join the Taxi Commission in its appeal to the Board of Supervisors and in efforts to make taxis available to park visitors by issuing a permit for at least one taxi stand in the concourse area. Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Gillespie; Smith; Kwok; McGuire; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

- **Executive Director Machen:** Introduced item to Commission stating that Commissioner McGuire had brought it to the Commission.

PUBLIC COMMENT

- **Barry Taranto**: Feels letter is well written by the Executive Director and urges the Commission to approve the resolution. Follow up should be made for response from Park and Recreation.
- **Robert Cesana**: Taxi drivers can be dispatched to the park. The Commission is not anticipating the changes of the public and how people don't want to call cabs in central areas they would rather hail a cab. Companies do not offer a caller who uses a cell as a confirmed call because it is not a firm location. Public needs to be educated into flagging cabs and making it legal everywhere.
- **Thomas George Williams**: Explains to the Commission that in cities around the world many cab stands have a telephone attached to it directly connected to a company, feels it would be a good idea in general.

Discussion ensued, including the following points:

- Commissioner Gillespie feels the letter and resolution are well written and moves to adopt it. Also suggests to increase having more than one stand. Commissioner McGuire seconds it.
- Commissioner Kwok gives an idea to the Director to have a sign posted informing the public on how to retrieve a cab. Director Machen says she will work with Park and Recreation on the request.
- Commissioner McGuire thanked Director Machen for preparing the resolution. President Smith feels there should be three taxi stands in the park pertaining to Tea Garden Drive. Feels the Commission should go forth with the motion.

8. METER RATE AND GATE FEE ASSESSMENT FOR RECOMMENDATION TO BOARD OF SUPERVISORS [DISCUSSION AND POSSIBLE ACTION]

Commissioner Gillespie motions to continue. Commissioner Paek seconded the motion. Motion passes 4-1.

AYES: Gillespie; Smith; Kwok; McGuire; Paek **NOES:** Kwok

ABSENT: Breslin **RECUSED:** None

Executive Director Machen: Introduced item to Commission including draft legislation requested for consideration by President Smith.

PUBLIC COMMENT

- **Barry Taranto**: Inquires on the two drafts of legislation, feels the Commission should have time to review the draft and continue till next meeting. Drivers need a gas surcharge, business is not good therefore the gate should not be increased.
- **Commissioner Kwok:** Are you happy with the meter rate if it is separated?
- **Barry Taranto:** I think it's great.
- **Commissioner Gillespie:** Item was introduced tonight and asked the President if item should be continued till next meeting also since Vice President Breslin is not present.
- **CommissionerPark:** I agree to continue with Commissioner Gillespie.
- **President Smith:** Is for a continuance but would like to hear public comment. If you speak tonight you will be able to speak at next meeting.
- **Commissioner McGuire:** Would like to separate item and vote on it tonight. Give the drivers a $1.00 increase, raise the meter to $3.85 drop, and eliminate the 2nd part of this which is raising the gate fee.
- **Commissioner Gillespie:** Does not want to get into the details and does not want to deal with such a major item on the night the Commission sees it. Motions to continue.
- **Commissioner Paek:** Seconds motion.
- **Mark Gruberg:** Legislation is being presented as a general meter increase which means drivers are not getting a gas surcharge. Cab Companies do not need a gate increase. President Smith requests not to discuss companies. Mr. Gruberg explains himself and requests his time to be extended for speaking. President Smith denies this request.
- **Michael Spain:** Favors a dollar on the drop and expresses it should not be disguised as a gas surcharge but as an increase in the meter rate, also should reflect a cost of living. Rates and gates need to go forward together which is necessary for its survival.
- **Robert Cesana:** Agrees with Commissioner Gillespie on the lack of notice of

material. This item has come up eight or nine times, idea of a gas surcharge is more than a year old. Speaks on gate fee and cost for companies. Commissioner Kwok inquires to the cost of worker's compensation and insurance overall.

- **Thomas George Williams:** Insurance costs are going up because of accidents and limousines. Does not agree with increased the gate fee.
- **Carl Macmurdo:** Long term lease needs to be included in legislation. Gas is very high in the Bay Area and drivers need an income boost. The Tony Hall rates and gates legislation dictates that the Controller's do a CPI adjustment but there is a loop hole. Company's profit margins are low. Agrees with the legislation and hopes it comes back the way it is next meeting.
- **Tariq Mehmood:** Where did the $99.00 gate fee come from, did the companies make an official request? Speaks on the issue of hybrids and companies.
- **Ruach Graffis:** Drivers are hurting and not making enough money. Does not agree with the $ 99.00 gate fee and it should be voted down.
- **Jim Gillespie:** Speaks for Yellow Cab and expresses how the profits are not there for the company. They have bought 25 hybrids vehicles and are putting in a CNG gas station. Supports the joint legislation.

9. CONSIDERATION OF FINAL DECISION BY EXECUTIVE DIRECTOR REGARDING RECOMMENDATION SUBMITTED BY THE TAXI COMMISSION HEARING OFFICER FOR LACHEN CHNAF (BADGE #54790) WITH CONSIDERATION OF PERMANENT REVOCATION OF PUBLIC PASSENGER VECHICLE DRIVER PERMIT AND PENALTY FINE. [ACTION]

Commissioner Gillespie motions to approve Resolution #72 of the revocation of driver permit and penalty fine for Mr. Lahcen Chnaf. Commission McGuire seconded the motion. Motion passes 5-0.

AYES: McGuire; Smith; Gillespie; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

- **Director Machen:** Introduces Item to the Commission.
- **Sergeant Simpson:** Gives history of hearing and complaint against Mr. Chnaf to the Commission.

PUBLIC COMMENT:

- **Tariq Mehmood:** Feels Mr. Chnaf should be fined but should not have his A-card revoked.
- **Commissioner Kwok:** Asks Mr. Mehmood if he feels the Commission should take

a strong action to set an example since this person committed a crime.

- **Tariq Mehmood:** Believes he should be punished for what he did but feels he didn't do such a bad crime to have his A-card revoked. He just tried to make a few more dollars.
- **Thomas George Williams:** Agrees with Tariq since he saved paying high gates. He should be punished and pay the fines but not have his A-card revoked.

Discussion ensued, including the following points:

- President Smith says if you read the report you would know this person had his own telephone line and has gotten caught a few times. Would like a motion.
- Commissioner Gillespie moves to adopt the recommendation. Commissioner McGuire seconds motion.
- Commissioner Paek agrees with recommendation and votes to revoke his A-card.

10. RESOLUTION SUPPORTING MAYOR NEWSOM IN HIS REQUEST FOR THE ALLOCATION OF NEARLY $22 MILLION FOR STREET IMPROVEMENTS. [DISCUSSION AND POSSIBLE ACTION]

President Smith motions to approve Resolution #73 supporting Mayor Gavin Newsom's proposal in increase street-repair funding and urging the San Francisco Board of Supervisors to favorably consider it. Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: McGuire; Smith; Gillespie; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

- **Executive Director Machen:** Introduced item to Commission on behalf of request made by Commissioner McGuire.

PUBLIC COMMENT: No public comment.

Discussion ensued, including the following points:

- Commissioner Paek supports resolution and would like to write a letter in support.
- Commissioner Gillespie also supports resolution and moves to adopt the resolution. Commissioner McGuire seconds motion. President Smith supports resolution as well and motions to approve. Commissioner Gillespie seconds motion.

11. RESOLUTION RECOMMENDING SUPPORT OF AB2600 IN EXTENDING HOV

LANE PRIVILEGES TO INHERENTLY LOW EMISSION VECHICLES (ILEV).
[DISCUSSION AND POSSIBLE ACTION]

Commissioner Gillespie motions to approve Resolution #74 recommending support by the State Legislation Committee and the Board of Supervisors for California Assembly Bill AB2600. Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: McGuire; Smith; Gillespie; Kwok; Paek **NOES:** None

ABSENT: Breslin **RECUSED:** None

- **Executive Director Machen:** Introduced item to Commission.

PUBLIC COMMENT: No public comment.

Discussion ensued, including the following points:

- Commissioner Gillespie moves to support the item. Commissioner Paek seconds motion.
- Director Machen announces discussion of consent calendar item 4D if applicant Ken Chan would like to accept medallion #666 or wait for medallion #1004.
- Kenneth Chan prefers to wait for the next medallion number.

12. ADJOURNMENT

Meeting adjourned at 9:05pm.

Respectfully Submitted,

Jaime Poblitz

Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

MARTIN SMITH, PRESIDENT, ext. 7
PATRICIA BRESLIN, VICE PRESIDENT, ext. 4
PAUL GILLESPIE, COMMISSIONER, ext. 2
MICHAEL KWOK, COMMISSIONER, ext. 3
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HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
6/27/06

June 27, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Consideration of the Minutes for the June 13, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Discussion of Summary Financial Statistics for Taxicab Operating Companies by the Controller's Office [INFORMATION & DISCUSSION] **Continued from May 23, 2006*
6. Public Comment (Please limit public comment to items **not** on the agenda).
7. Staff Report and Commissioner Announcements [INFORMATION]
8. Forming a Working Group for Taxi Driver's Health Care Plan* [DISCUSSION AND POSSIBLE ACTION] **Continued from May 23, 2006*
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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

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B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
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Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Kenneth Chan*	1004	Luxor Cab

**Continued from June 13, 2006*

D. Taxi Detail recommends the Taxi Commission to consider applicant(s) ineligible and remove applicant name(s) from the Taxicab/Ramp waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
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4. Pascal Cosentino	6-534
5. James Mallon	6-537
6. Khanh X. Tran*	6-543

**** Applicant Declined***

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F. Consideration of the Taxi Commission to Revoke Taxicab Medallion Holder Permit for failure to file a Sworn Statement as required by San Francisco Municipal Police Code Section 1095:

Medallion Holder Name	Medallion #	Color Scheme
1. Tara Housman*	984	DeSoto
2. Carlton A. Hubbell	559	Yellow

** T. Housman has filed Form 1095 and is in compliance with Municipal Police Code Section 1095.*

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Medallion Holder:	Medallion #:	Change:
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B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

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D. Consideration of the Taxi Commission to remove deceased applicant name(s) from the Taxicab/Ramp Taxi waiting list:

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1. Francine Wiley	7-662

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2. Jack Fung	6-437

G. Commission Request to Calendar

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Start-up color schemes & dispatch companies restricting size of companies at least 15 medallions.	n/a	
Overflow calls in the dispatch room with the idea of referring those	n/a	

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calls to dispatch companies without business.		
Discussion on phony waybills.	n/a	
Discussion on ramp taxi compliance (Police reports).	n/a	
Discussion and possible action making all cab fleets 50% alternative fuel (by what date?).	n/a	
Discussion on incentives for medallion holders buying new alternative fuel vehicles.	January 10, 2006	
Discussion to replace Inspector Suslow, Officer Nevins, and Officer Ramos positions and add six more officers to the taxi detail.	January 10, 2006	
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Commissioner McGuire	**Date of Request**	**Planned Hearing Date**
Posting of notices inside taxicabs and at various locations, informing the public that solicitation of ground transportation at SFO, SF hotels and streets is illegal. Also, advising the public how to identify taxicabs that are operating illegally in SF.	n/a	
Report on how much each company charges for a monthly lease	February 14, 2006	
Review of recent price increases at the various companies. How do these	February 14, 2006	

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prices equate to what companies charge for gate and gas cabs? Insurance....Both workers compensation and liability...are they purchased by lease. Who purchases the vehicle? What is the average price of a vehicle? What is the average cost of monthly maintenance and who pays for it?		
Review of the controllers report regarding the long term lease and how it can be structured to fit within the gate cap legislation.	February 14, 2006	
Requests a discussion and possible action regarding the creation of an ordinance which would prohibit solicitation of passengers by hotel doorman.	May 9, 2006	
Requests Director Machen to arrange a viewing of the police training video regarding the unlawful activity of limousines and the SFTA video as well.	May 9, 2006	June 13, 2006
Commissioner McGuire requests a discussion and possible action regarding a recommendation to the Board of Supervisors Budget Committee to support Mayor Newsom in his request for allocation of 19 million dollars for street improvements.	May 23, 2006	June 13, 2006
Commissioner McGuire requests to calendar a discussion and possible action on restoring the cab stand at 750 Kearny St.	June 13, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or bye-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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AMENDED
TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T 23
#1
6/27/06

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June 27, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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10. Waybill Policy During Audits [DISCUSSION AND POSSIBLE ACTION]
11. Disciplinary Action Changes [DISCUSSION AND POSSIBLE ACTION]
12. Closed Session on Public Employee Executive Director Performance Evaluation and Possible Employee Dismissal [DISCUSSION AND ACTION]

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**Continued from June 13, 2006*

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6. Khanh X. Tran*	6-543

**** Applicant Declined***

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Report on how much each company charges for a monthly lease	February 14, 2006	
Review of recent price increases at the various companies. How do these	February 14, 2006	

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prices equate to what companies charge for gate and gas cabs? Insurance....Both workers compensation and liability...are they purchased by lease. Who purchases the vehicle? What is the average price of a vehicle? What is the average cost of monthly maintenance and who pays for it?		
Review of the controllers report regarding the long term lease and how it can be structured to fit within the gate cap legislation.	February 14, 2006	
Requests a discussion and possible action regarding the creation of an ordinance which would prohibit solicitation of passengers by hotel doorman.	May 9, 2006	
Requests Director Machen to arrange a viewing of the police training video regarding the unlawful activity of limousines and the SFTA video as well.	May 9, 2006	June 13, 2006
Commissioner McGuire requests a discussion and possible action regarding a recommendation to the Board of Supervisors Budget Committee to support Mayor Newsom in his request for allocation of 19 million dollars for street improvements.	May 23, 2006	June 13, 2006
Commissioner McGuire requests to calendar a discussion and possible action on restoring the cab stand at 750 Kearny St.	June 13, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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San Francisco Taxicab Commission

June 27, 2006

MINUTES
Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
June 27, 2006
6:30PM
Regular Meeting

DOCUMENTS DEPT.

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Present: Breslin; Gillespie; Kwok; McGuire; Paek; Smith
Absent: None

PRESIDENT SMITH CALLED THE MEETING TO ORDER AT 6:37 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Vicky Siu – Taxi Commission, Officer Paul Makaveckas Taxi Detail

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL – Roll Call showed a quorum was present.
3. CONSIDERATION OF THE MINUTES for the June 13, 2006 TAXICAB COMMISSION MEETING [ACTION]
Commissioner Gillespie motions to approve the minutes. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; Smith; Kwok; Paek; McGuire **NOES:** None
ABSENT: None **RECUSED:** None

PUBLIC COMMENT
• Robert Cesana states the minutes were not included with the agenda.
• Executive Director Heidi Machen advised Mr. Cesana that there were 20+ packets with minutes and a stack of amended agenda. Minutes are also available in the public binders for all to view.
• Jim Kennedy states that the TV's in the meeting room are not working. He was advised that the problem is beir worked on.

4. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]
Commissioner Gillespie motions to approve the Consent Calendar excluding 4B3. Commissioner Paek seconded tl motion. Motion passes 6-0.

AYES: Breslin; Gillespie; Smith; Kwok; Paek; McGuire **NOES:** None
ABSENT: None **RECUSED:** None

Commissioner Gillespie motioned to approve 4B3. Commissioner Breslin seconded. Motion passes 5-0.

AYES: Breslin; Gillespie; Smith; Kwok; Paek **NOES:** None
ABSENT: None **RECUSED:** McGuire

• President Smith inquires why a time waiver request from Mohammad Ilyas is in the packet but not on the conse calendar.
• Director Heidi Machen states that Mr. Ilyas is in the Notice Section of the Consent Calendar which will be heard . 11, 2006. His letter was included for the Commissioners to review.

A. *Approved Public Passenger Vehicle Driver Permit(s):*

Kalid A. Abdalah	Mohammed A. Ali	Robert W. Allen Sr.
Bruno L. Arantes	Mohamed M. Babikir	Abdelmajid Bennis
Paula R. Campos	Chun Lam Chan	Ali Denane
Wagner A. DeOliveira	Modesto Garcia	Hamid Khan
Leonid Klyachko	Yevgeniy V. Korovitsyn	Rachid Lmhaoud

Michelle L. Paslay	Izabella M. Da Silva	Kamal J. Singh
Alisher S. Ulugbekov	Andom H. Weldemichael	Rian Wen
Daniel Wilson	Franck J. Zamora	

B. *Approved Color Scheme Change(s):*

Medallion Holder:	**Medallion #:**	**Change:**
1. Samson Tam	562	Regent Cab to Fog City Cab
2. Lawrence Paul	376	Veterans Cab to Arrow Cab
3. Thomas James Callan	56	Metro Cab to National Cab

C. *Approved Taxicab/Ramped Taxicab Medallion Holder Permits granted to:*

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. Kenneth Chan	1004	Luxor Cab

D. *Approved list of Applicant Name(s)who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Sectio 1080(c)(2):*

Applicant Name	**List #**
1. James Donnelly	6-395
2. Stephen Agetstein	6-398
3. Lou Riegel	6-401
4. Edwin Yuen	6-406
5. Robert Hughes	6-404

E. *Approved list of Applicant Name(s)who are ineligible for a **Ramp** Taxicab Medallion per Municipal Police Code Section 1080(c)(2):*

Applicant Name	**List #**
1. Shery Lynn Giorgetti	6-527
2. Thomas C. Stern	6-528
3. Reza Ghorbani	6-531
4. Pascal Cosentino	6-534
5. James Mallon	6-537

6. Khanh X. Tran*	6-543

* Applicant Declined Ramp Medallion Offer

F. *The following Taxicab Medallion Holder Permits were not revoked for the following reasons:*

Medallion Holder Name	Medallion #	Color Scheme	Reason not Revoked:
1. Tara Housman*	984	DeSoto	Has filed Form 1095 and is in compliance
2. Carlton A. Hubbell	559	Yellow	Deceased March 2006

PUBLIC COMMENT:

• Thomas George Williams: commented that every meeting there are 20-40 new drivers; people who understand industry are not welcome anymore and this gives too much power to companies. We need longer training and mc quality drivers, not just bodies.

• Tariq Mehmood: He wonders if the Taxi Commission is watching what the taxi companies are doing. Every twc weeks he sees the number of drivers go up. Asks why so many drivers leave the industry and new people are brought in. Asks the Commission to look into this.

• Jim Kennedy: Said that drivers leave because they don't know what they're doing.

• Commissioner Gillespie: Motioned to vote on the Consent Calendar as a whole.

• Commissioner McGuire: Recused herself from Consent Calendar Item B3.

• Commissioner Gillespie: Motioned to approve all items except B3 and confirmed that F1-Tara Housman has complied and her permit will not be revoked.

• Commissioner Paek: Seconded the motion.

• Motion passes 6-0.

• Commissioner Gillespie: Motioned to approve B3.

• Vice Pres. Breslin: Seconded.

• Motion passes 6-0.

5. DISCUSSION OF SUMMARY FINANCIAL STATISTICS FOR TAXICAB OPERATING COMPANIES BY THE CONTROLLER'S OFFICE [INFORMATION & DISCUSSION]

• Todd Reidstrom, Director of Budget and Analysis for the Controller's Office: Gave a report on the Summary of Financial Statistics for Taxicab Operating Companies. Provided Commission with two sets of data and went over figures. Found that roughly two-third of the companies reporting were profitable. They are working with staff to update these figures for 2005, the report should be out by August 1. The statistics show that the net profit or los was on average 21%. 19 of the 29 companies were profitable, 10 were not. The profitable companies had 1003 medallions and not profitable companies had 367 medallions. The second table shows a hypothetical $1800/mont expense for each medallion that is controlled by the owners that receive a dividend in a cooperative. This table st that the net profit is 6%. Key difference is that a cooperative owner will get a dividend and $1800/month paymer Concluded that the statistics show that the industry is getting better and people are making a living driving a cab, some more than others.

Discussion ensued including the following points:

• Commissioner Kwok asks if there is a difference when reporting taxes. T. Reidstrom responded that when you participate in a mutual company or cooperative some will call it a participation credit and some will call it a divider It's meant to be the exact same residual payment.

• President Smith pointed out an underlined section in the hand out regarding the ability for some operating companies to contribute to taxicab health insurance costs. T. Reidstrom states that in some cases, an additional could potentially put some firms out of business because they're already not profitable. Others will have more flexibility. There is a very different mix of profitability in this industry. Commissioner Kwok asks whether this sho be a case to case basis since some companies have more flexibility than others. This might put small companies

disadvantage to participate in health care. T. Reidstrom replies that while 2/3 of the companies are profitable, th 2/3 controls 75% of the medallions. Depending upon some alternatives, example: a flat fee per medallion, it will different for some companies than others. The is an issue that the Mayor's Office is looking at and they are trying figure out how to structure it so it fairly distributes the potential costs.

PUBLIC COMMENT

• Mark Gruberg: States that the lion's share of the profits are going to the permit holders. 40% or more of drive gates are going to cab companies as profit or to permit holders as lease fees or dividends. The revenues are ther the industry, it's just a matter of structuring to find the best way to access them.

• Jim Kennedy: Comments about an article in the Examiner regarding the City's benefit program. Comments abc how they should charge medallion holders for a health plan. Also says he is tired of UTW giving permit holders a l rap.

• Thomas George Williams: States that the last speaker must be one of the profit makers that take their money a call it their own. You have a responsibility to your drivers to get health care.

• Tariq Mehmood: States that the companies collect 73 million dollars a year from the drivers. 36 million goes to medallion owners and if the medallion owner drives more shifts, they make more money.

• Robert Cesana: Comments that one of the previous speakers always claims he does not make any money beca he charges a low fee but he finds that this person works for one of the company that doesn't make any money. States that on this basis, all they have to do is put less drivers out on shifts and we've solved the whole problem.

• Blake Derby: States that putting a fine on medallion holders and going after them is counter productive. Comments that the companies have a lot of integrity and you should trust them more.

• Ann McVeigh: Thinks that it is a bad idea to think that we are going to get a decent health care policy if we end paying for it and don't get universal health care for people in San Francisco. Reiterated what the insurance exper stated at to the Budget Committee. Also states that people who bring up these reports should talk to people who know more about the industry.

6. PUBLIC COMMENT

• Frank (no last name given): Comments about the price of gas still being high and hopes the Commission will consider a supplement to the drop.

• Jim Kennedy: Spoke about two emails he sent. He complained about the Taxi Commission Office and how they seized a contract on July12th at American Cab and that Jack lied saying he did not take his contract.

• Paul Kim: Commends Heidi Machen as Director of the Commission.

• City Attorney, Paul Zarefsky: Urges the Chair to use discretion on public comment. People should be able to sp critically and positively. This item is for general public comment for items that have not been specifically itemized agenda items.

• Thomas George Williams: Finds it interesting that American cab is complaining because there was obviously an investigation going on. He wonders why President Smith tried to stop this investigation. States that they asked r times to enforce gate control. They demand the companies pay the money back to every driver or they will take l action.

• Barry Taranto: States that Agenda Item #12 is listed wrong. Says Commissioners are abusing their power and in regards to use of staff. States the City is liable for the behavior of Commissioners. Comments about a convent that happened last week stating that limos were everywhere and asks the Commission to help. He is looking to medallion holders to help drivers make money.

• Kathleen McCann, American cab: Said the Taxi Commission Office has been harassing them. Believes they hav their own agenda and it needs to be stopped. States that they put together an incident report.

• Commissioner McGuire: Says she received a document and is concerned about the holder of medallion #1251 a the request of Mr. Tran to deliver his medallion to the Commission office within three days.

• City Attorney, P. Zarefsky: Replies that it is ok for Commissioners to ask follow up questions or direct staff to lc into something but cautions against any extended discussion.

• Spanky (no last name given): Talked about a women who had flagged his cab was waiting for a Yellow taxi. St that taxis are not showing up and all drivers should have cell phones so the person requesting cab can call and as "Where are you?".

• Michael Ege: Spoke about how suddenly things are being turned upside down because someone is upset that th current law is being enforced. States that all of the Commissioners need to be careful about what they do in term how they make this administration look and what kind of public scrutiny you will bring upon yourselves if you mak the wrong decision.

• Arthur Lenky: Commented about Marty Smith's brothers, one Post K and one Pre-K, who died and how his fami has been hurt by it. Spoke about how he is not able to will his medallion to his family and also talked about the g

fees.
• Peter Witt (Bridgeline): He is concerned about the taxi issues, taxi service and dispatched prearranged phone orders channeled to limos because of the inefficiency of San Francisco's dispatching system. States that the drive representatives should be long gone because they are not adequately representing the drivers or the public.
• Mark Gruberg: Spoke about the gate, meter and health care legislation that was passed by the Board of Supervisors in 2002.
• Steve Reimer: Asked the Commission to trust the companies.
• Tariq Mehmood: Pointed out that medallion holders keep saying they are not making money and if they are not happy then give the medallion back. States that medallion holders make $25,000 per year, half a million after 20 years, there is no such profession that gives you that much money for not working. Commented on National Cab firing Thomas and that if he were a medallion holder they would not have fired him. Also stated that American Ca didn't give him a copy of his lease agreement when he tried to get a job there.
• Fred Naranjo: States that the Commission's responsibility is to balance the consumer's interest in the taxi indus Said that the Commission must implement the rules and sometimes it is difficult to implement the rules but we ha set laws and someone has to do that work, that is the Commission, the Executive Director and her staff. You hav responsibility to the people of San Francisco.
• Ed Healy: He's had his medallion for six months and believes that regular drivers are badly treated. States tha medallion holders are talking as if they won their medallion. Mentions that there are many drivers willing to work the older drivers are safer and have better track records.
• Robert Cesana: States that the Commissioners are the regulators and they are the ones who give orders and m decisions and the staff does not understand that and do not read their own regulations. Spoke about an incident happened at American Cab.
• Nathan Dwiri: Spoke about the Controller's report and how it says that health care is not feasible and how it recommends additional year of study.
• President Smith: Requests a five minute recess to fix the technical problems with the Bridgeline. Announced th they will continue items 9, 10 and 11 to the next meeting but will take public comment.
• City Attorney, P. Zarefsky: Cautions that the Commission should not make a final decision about continuing ite until there has been public comment on the items.
Five Minute Recess
• David PilPel (Bridgeline): States that if the Commission has concern about the manner in which company audits performed, the Commission should ask for a policy, on how such audits are conducted, to be brought to the Commission. The audits should be conducted in a fair and equitable manner.
• Dave Schneider: Spoke about lease agreements and obtaining a copy from the company they work for. States the Commission should consider regulating this. He respects the medallion holders and also of all Americans who have the right to fundamental health care. States that we deserve fully paid health care.
• Blake Derby: He is appalled about the incident at American Cab and requests that it be investigated more. Sta that the drivers can buy their own insurance if he didn't drive his shifts. Adds that the people of San Francisco vo for the drivers to have medallions and it should not have gotten to the point where he cannot have a bigger busin plan.
• Ann McVeigh: States that the Mayor should be concerned with what has happened in the Taxi Commission sinc inception. Adds that he used the cab industry to get his name out in the public. Further states that he appointed someone who passed a bogus resolution that has taken away Federal disability rights.
• Executive Director, Heidi Machen: Reports that the chair has requested to take items 7, 8 and 12 followed by 9, and 11 in that order.

7. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS [INFORMATION]

• Executive Director, Heidi Machen: Gave an update on the meetings she attended and correspondence received sent.
COMMISSIONER ANNOUNCEMENTS
• President Smith: Wishes Sergeant Simpson well.
• Officer Paul Makaveckas: Reports that Sergeant Simpson is doing better and is still recovering. If anyone wants send get well cards, they can send it to: Sergeant Simpson, Taxi Detail, 850 Bryant St., Room 458, 94103.

PUBLIC COMMENT
• Jim Kennedy: Commented on the training that Director Heidi Machen went to saying that the director should se staff to training.
• President Smith: Requests Mr. Kennedy to stay on topic of the staff report.
• Barry Taranto: Thanked the Commission staff for their time and energy in organizing the contingent for the Pric

Parade. Further states that we owe it to those communities to show our appreciation. Sends his best to Sergean Simpson.
• Mark Gruberg: Sends his best to Sergeant Simpson and hopes for his quick recovery. Feels he does a great job

8. FORMING A WORKING GROUP FOR TAXI DRIVER'S HEALTH CARE PLAN [DISCUSSION AND POSSIBLE ACTION]

Commissioner Gillespie motions to continue Item #8. Commission Kwok seconded the motion. Motion fails 3-3.

AYES: Gillespie; Kwok; Paek **NOES:** Breslin; McGuire; Smith
ABSENT: None **RECUSED:** None

Commissioner Gillespie motions to adopt the resolution for Item #8 with three amendments. Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Breslin; McGuire; Gillespie; Kwok; Smith **NOES:** Paek
ABSENT: None **RECUSED:** None

• Executive Director, Heidi Machen: Gave a brief introduction of the health care plan. Explained that this Commis requested she write two separate resolutions to figure out which direction to go. One resolution would create a pc body comprised of industry and city representatives. A subcommittee of this Commission would pick the member the committee. The second resolution consists of staff who will come back with an implementation plan within fou months time.

PUBLIC COMMENT:
• Fred Naranjo: Feels it is imperative that we have some type of insurance for taxi drivers. Believes a task force should be put together with all those parties as well as business owners and consumers. We all have a responsibi and people should pay an increase in rates or pay higher gates to provide these services. It is important to have universal health care.
• Frank: Said this might be redundant if the City is considering health care for all residents. Feels a policy body would be more appropriate. Nominated Commissioner Kwok and Alex from Black and White Checker because he l a lot of integrity and sympathetic.
• Blake Derby: States he is not opposed to finding a way to get health insurance but he does not want to pay for of it. He has issues with the money they pay to pick up at the airport. Said there is an MTA budget and to tap int that. Hopes he is included because usually everyone is included except medallion holders. Asks not to make ther pay for it because they have a lot of liabilities.
• Mark Gruberg: Asks the commission to continue this item to the next meeting. UTW is the has always been bel obtaining health care but the Commission has adopted the policy that important policy decisions are not made the first time it is on the agenda. This item is on for the first time. UTW would like the opportunity to present their id within the framework of the two alternatives.
• Charles Rathbone: He is concerned with the quality of the product they will end up paying for. It does not cove family members and that is a drawback.
• Thomas George Williams: States that President Smith approached him after a meeting saying that he is the per who will make the decision of who will be in this committee and if he wants to be in it, he has to be open for transferability. Adds that he is abusing his power and he should exclude himself from making the decision. It shc be staff or someone else.
• Ann McVeigh: Feels the only answer is for the Mayor to work out a universal health care provision. She is in fa of working group and wants everyone to get involved.
• Jim Kennedy: Believes that many drivers will not want to pay for the health insurance because it costs too muc Spoke about he gets Medicare and supplemental insurance.
• Carl Macmurdo: He is in favor of a committee studying the health care plan-prefers a policy body and feels that months is enough.
• Mr. Lucky: States that if you want health and welfare, put 10% into each company before putting out anymore permits. That money can go into health and welfare.
• Tariq Mehmood: Wants to go with the rule of continuing any first time items to the next meeting. Feels it is no good idea for the President to form a group and it is questionable for the Executive Director to form a body.
• Ed Healy: Asks if the Commission contacted everyone to look into a plan. Wants to know if experts are looking this plan. He is in favor of setting up a committee to study this.
• Ruach Graffis: This is the first time that a city has mandated that cab drivers be covered. States they would lik more time and would like to work with the Commission on this.
• Vice Pres. Breslin: Inquires if there is a method of appointing a Commission to a policy body.

• City Attorney, Paul Zarefsky: Replied that the bylaws state that the duties of President shall appoint all commit of the Commission and designate committee chairs. Went over the bylaws and gave suggestion that instead of having the subcommittee appoint voting members, they can recommend appointment to the President. This woul more with the bylaws.
• Commissioner Gillespie: Motions to continue this item to the next meeting.
• Commissioner Kwok: Seconded.
Discussion ensued including the following points:
• Commissioner McGuire asked if the Sunshine Ordinance applies to policy bodies but not to passive meeting bodi City Attorney, P. Zarefsky replied that the Sunshine Ordinance covers both policy bodies and passive meeting bod but it has different rules for each. Passive meeting bodies have much less public participation. There has to be n on the Commission website but there is no right of public comment. States that there is nothing wrong with eithe resolution from a legal stand point. Explains bylaws further.
• Commissioner Paek agrees with Commissioner Gillespie to continue this item.
• President Smith does not want to continue this item and states this is not the first time this item has been on th calendar.
• Vice Pres. Breslin adds that she always voted to continue items if they are seeing it for the first time but does n want to prevent the President from appointing a committee.
• Commissioner McGuire's main concern is that the public is properly noticed and they have a chance to speak. S does not like want to see secret meetings happening. Feels that the same people make these policies and Commissioners do not know about some of the policies.
• Commissioner Kwok doesn't prefer one over other but he does want to be as inclusive as possible.
• Roll Call: Paek: Yes; McGuire: No; Kwok: Yes; Gillespie: Yes; Breslin: No; Smith: No. Motion fails 3-3.
• President Smith asks the City Attorney if he can pick three Commissioners now - what the next step is. City Attorney, P. Zaresfsky says the bylaws state that it states the President of the Commission appoints he does not create the committee. States that there is ambiguity and this allows room for the Commission as a whole to inter the bylaws. Commissioner Gillespie states that he is willing to go with the first resolution with the amendment th the three members have the ability to "recommend" the voting members that the President will choose. Also feel one year is too long, wants to change it to four to six months. President Smith feels four months is enough. Vic Pres. Breslin wants to leave it open so that they are not restricted to 5 voting and 7 non-voting members. Commissioner McGuire wants to also allow one of the appointed Commissioners to be a taxi driver. Commissione Paek wants everyone to be represented which is why she prefers to hold off on this until the next meeting.
• Commissioner Gillespie motions to adopt the first resolution with the amendment that the Commission "recomm 5 voting members, eliminate the paragraph which states which group the 5 members shall be drawn from and su the plan within four months.
• Commissioner Kwok seconded.
• Roll Call: Paek: No; McGuire: Yes; Kwok: Yes; Gillespie: Yes; Breslin: Yes; Smith: Yes.
• President Smith asks the City Attorney what the next step is. City Attorney P. Zarefsky replied that he had indicated to skip to item 12 and continue items 9, 10 and 11. The chair can say what his intentions are, no need motion. President Smith states that he wants to move to item 12.

12. CLOSED SESSION ON PUBLIC EMPLOYEE EXECUTIVE DIRECTOR PERFORMANCE EVALUATION AND POSSIBLE EMPLOYEE DISMISSAL [DISCUSSION AND ACTION]

Commissioner Gillespie motions to continue item 12. Commissioner Paek seconded the motion. Motion fails 4-2.

AYES: Gillespie; Paek **NOES:** Breslin; Kwok; McGuire; Smith
ABSENT: None **RECUSED:** None

Commissioner Kwok motioned not to disclose the discussion from the Closed Session. Commissioner Breslin seco the motion. Motion passes 6-0.

AYES: Breslin; Kwok; Gillespie; McGuire; Paek; Smith **NOES:** None
ABSENT: None **RECUSED:** None

Commissioner Smith announced that the Commission voted 4-2 in favor of dismissing the Executive Director, Hei Machen.

AYES: Breslin; McGuire; Kwok; Smith **NOES:** Gillespie; Paek
ABSENT: None **RECUSED:** None

• President Smith goes over the rules of the Closed Session.

PUBLIC COMMENT

• The following people stated the following during public comment: Heidi Machen has done a good job since being appointed. Service has improved since and she has displays ethical commitment, is a woman with great integrity, fair and enforces the law. They further stated that it is unfair that she and her staff are being attacked for doing t job.

These people are opposed to the dismissal of Executive Director, Heidi Machen: Ian Sobieski, Steven Katz, Gene Shulberg (Bridgeline), Gene Weinstein, Fred Naranjo, Michael Ege, Savanah Blackwell, Thomas G. Williams, Jorda Thigpen, Mark Gruberg, Dave Schneider, Chip Gettinger, Sherry Shannon, Dr. Russell Long, Bobby Winston, Paolc Seide Ouch, Jason Wong, Valentina, Brian McCarthy, Greg Dewar, Steve La Plante, Peggy Burgess, Ruach Graffis, Tariq Mehmood.

• The following people stated the following during public comment: Heidi Machen has not addressed the company needs. They do not like what she has done and feel she does not have much knowledge of the industry, she is nc straight forward like past directors and does not have good communication with the companies. These people are favor of the dismissal of Executive Director, Heidi Machen: Jim Kennedy, Norma Geer, Steve Reimers, Cindy War Robert Cesana, Blake Derby, Arthur Lembke, Charles Rathbone, Anne McViegh, Carl Macmurdo, Jim Gillespie, Mic Spain.

• The following people did not say that they were in favor of or opposed to this item, however, they do want all is to be resolved and want the Commission to do the right thing: Dan Hinds and Nathan Dwiri.

• City Attorney, Paul Zarefsky: Advises the Commission that everyone has a right to speak but it does not mean the public comments are part of the Commission's deliberation or decision. Further states that the Commission h responsibility to make a decision consistent with the law. He cautions the Commission not to give consideration t public comments about a conviction of someone that was hired.

Discussion ensued including the following points:

• Vice Pres. Breslin: Asks if they need to now vote whether or not to go into closed session. City Attorney, P. Zarefsky replied that it is up to the Commission, stating that it is appropriate to do that. Commissioner Kwok aske after the closed session, whether they need to vote on whether or not they should disclose the information discus City Attorney, P. Zarefsky replied that the body must vote whether or not to disclose anything from the discussior from the closed session. States that the Brown Act and Sunshine Ordinance have specific guidelines as to what actions need to be and do not need to be reported. Commissioner Gillespie asked if this item was appropriately p on the agenda. City Attorney, P. Zarefsky states that the item was legally published and noticed. Explained that item described the scope of the closed session and it identifies the range of action that might be contemplated. A that there are other ways to place items on agendas but does not believe they are legally required.

• Commissioner Gillespie comments that this item was directed by the President to be put on the agenda and he c not communicate directly with the executive director, asked if that would be a reason not to consider this item tonight. City Attorney, P. Zarefsky, replied that he is reluctant to directly answer that because he does not know facts. It is ultimately up to Commission President to place items on the agenda. Adds that he does not have eno history or facts to make judgment on this.

• Commissioner Gillespie: would like this item to be continued and prefers that the regular city attorney be prese Motions to continue item 12.

• Commissioner Paek: Seconded the motion.

• Vice Pres. Breslin: Feels the attorney is only here to guide us and not here to make the decision for us and is n favor of continuing this item.

• City Attorney, P. Zarefsky: Adds that in the discussion of the motion to continue this item, he advises the Commission not to get into the merit of this issue.

• Commissioner McGuire: Does not understand why there is a problem with having City Attorney Paul Zarefsky ir their closed session and wants to go into closed session.

• Commissioner Kwok: States he has taken everything into consideration and has consulted with the regular attorney, Tom Owen and feels this item should be heard tonight.

• Pres. Smith: Repeats that the motion is to continue this item.

• Roll Call: Paek: Yes; McGuire: No; Kwok: No, Gillespie: Yes; Breslin: No; Smith: No. Motion fails, 4-2.

• President Smith: States that agenda items 9, 10 and 11 will be continued until the next meeting but they will ta public comment after the closed session.

• Commissioner Kwok: Motions to not disclose the discussion from the closed session.

• Vice Pres. Breslin: Seconded.

• Motion carries.

• President Smith: States the Commission voted 4-2 to release Heidi Machen as the Executive Director effective t close of this meeting. The Commissioners who voted to release Heidi Machen were Commissioners Mary McGuire,

Michael Kwok, Patricia Breslin and Martin Smith. Commissioners Paul Gillespie and Min Paek voted against this ac

9. REVISING ADA PROCEDURES TO MAKE SF HEALTH DEPARTMENT RESPONSIBLE FOR GIVING ACCOMMODATIONS [DISCUSSION AND POSSIBLE ACTION]

• President Smith: Asked if there is any public comment for item 9.

• David PilPel: States that it will be more appropriate to continue those items to the call of the chair given the circumstances.

No Public Comment

• President Smith states they will continue item 9.

10. WAYBILL POLICY DURING AUDITS [DISCUSSION AND POSSIBLE ACTION]

No Public Comment

• President Smith states they will continue item 10.

11. DISCIPLINARY ACTION CHANGES [DISCUSSION AND POSSIBLE ACTION]

No Public Comment

• President Smith states they will continue item 11.

ADJOURNMENT

Meeting adjourned at 1:50AM

Respectfully Submitted,
Vicky Siu
Office Coordinator

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

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MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6

HEIDI MACHEN, EXECUTIVE DIRECTOR

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SPECIAL ORDER
TAXICAB COMMISSION AGENDA
REGULAR MEETING

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July 3, 2006 at 9:00 a.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance

2. Call to Order/Roll Call

3. CLOSED SESSION – PUBLIC EMPLOYEE APPOINTMENT: ACTING EXECUTIVE DIRECTOR OF TAXI COMMISSION (Action)
   A. Public comment.
   B. Closed session as described above, pursuant to Section 67.10(b) of the San Francisco Sunshine Ordinance (S.F. Admin. Code §67.10(b)) and Section 54957(b) of the Ralph M. Brown Act (Cal. Govt. Code §54957(b)).
   C. Vote on whether to disclose closed session discussion. (Action)
   D. Report on any action taken as required by Section 67.12(b)(4) of the Sunshine Ordinance (S.F. Admin. Code §67.12(b)(4)) and Section 54957.1(a)(5) of the Ralph M. Brown Act (Cal. Govt. Code §54957.1(a)(5)).

Adjournment

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

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SAN FRANCISCO LOBBYIST ORDINANCE

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MIN PAEK, COMMISSIONER, ext. 6

TRISTAN BETTENCOURT,
ACTING EXECUTIVE DIRECTOR

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SPECIAL ORDER
TAXICAB COMMISSION AGENDA
MEETING CANCELLED

July 3, 2006 at 9:00 a.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

The meeting scheduled for 9 a.m., 3 July 2006 is cancelled at the request of a majority of the Commissioners.

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TRISTAN BETTENCOURT, ACTING EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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July 11, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

07-07-07P04:35 RCVD

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Consideration of the Minutes for the June 27, 2006 Taxicab Commission Meeting. [ACTION]
4. Consideration of the Consent Calendar. [ACTION]
5. Public Comment (Please limit public comment to items **not** on the agenda).
6. Staff Report and Commissioner Announcements [INFORMATION]
7. Revising ADA Procedures to Make SF Health Department Responsible for Giving Accommodations [DISCUSSION AND POSSIBLE ACTION]
8. Disciplinary Action Changes [DISCUSSION AND POSSIBLE ACTION

Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Beyene K. Alemayehu	Irfan Ali	Emil Arutinovi	Charles C. Ajero
Cho Tun Aung	Sam S. Aung	Wai Lin Aung	Sean P. A. Aldeguer
Nay Myint Aye	Wesley F. Clark	Joe C. Copeland	Gabriel J. Amos
Bernardo A. Deleuse	David d. Dennis	Reagan D. Dennis	George Chen
Rohit Dhir	Eduardo M. B. Fajardo	Dennis F. Frleta	Hai Yuan Chen
Manyahlhal Germame	Adfrise E. Kabtyemer	Leonard J. Kazmarski	Alvin Y. H. Chu
Tesfaw S. Ketsla	Vijay Kumar	Anteneh G. Lakew	Jinoy P. Dave
Janice S. Lam	Dennis F. Lawlor	Laurence S. K. Lee	M. Bjon Farber
Brett D. Lillegard	Sai T. Line	Theodore M. Marshall	Geoffrey Gong
Tsehay G. Mebrahtu	Tanya V. Mena	Paul M. Miller	Faika H. Hamoda
Aung Naing Myint	Mufeed A. S. Nagi	David P. Reeder II	Sandra T. Haynes
Himmat S. Sandhu	Ephrem S. Shifa	Daniel A. Shinbachew	Ibrahim H. Heikal
Ronny H. Singh	Robert A. Smith	Mohammad T. Tanatrah	Dennis P. Koss
Danny H. Q. Tran	Ni Wine	Ilya Yankov	Michael Y. Lee
Jack Z. G. Lu	Tri Huu Ly	Viktor Morkovkin	Lakhvinder P. Singh
Satinder Singh	Vernon O. Snyder	Samuel S. Woldetensae	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:
COLOR SCHEME CHANGE:

Medallion Holder:	Medallion #:	Change:
1. David Xe	9072	Sunset Cab to Black & White Checker

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Medhat Dewidar	1145	Yellow Cab Co-Op

D. Consideration of the Taxi Commission to grant a Time Waiver to:
1. Mohammad Ilyas, List# 6-538

E. Consideration of the Taxi Commission to remove deceased applicant name(s) from the Taxicab/Ramp Taxi waiting list:

Applicant Name	List #
1. Francine Wiley	7-662

F. Consideration of the Taxi Commission to remove the following applicant(s) name from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name	List #
1. Patricia Y. Yuan	6-408

G. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Roman Krimer	6-525
2. Jack Fung	6-437

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Taxicab Commission Agenda - Regular Meeting
July 11, 2006, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the July 25, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. George Lancia	846	Sunset Cab to Union Cab
2. Jack Shuck Hoey	386	DeSoto Cab to WorldWide Cab

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. Larry Kaplan	6-413
2. Joseph Tesfaldet	6-407
3. Charles Gale	6-419
4. Michael Byrne	6-415

C. Consideration of the Taxi Commission to grant a Time Waiver to:

Medallion Applicant Name:	List #:
1. Danil Levi (Ramp)	6-554
2. Gary Martinovsky	6-417
3. Edward Gruzman	6-418

D. Commission Request to Calendar

President Martin Smith	Date of Request	Planned Hearing Date
Determine Workers Comp. Policy for gate & gas drivers. Also proper certificates.	n/a	
Start-up color schemes & dispatch companies restricting size of companies at least 15 medallions.	n/a	
Overflow calls in the dispatch room with the idea of referring those calls to dispatch companies without business.	n/a	
Discussion on phony waybills.	n/a	
Discussion on ramp taxi compliance (Police reports).	n/a	
Discussion and possible action making all cab fleets 50% alternative fuel (by what date?).	n/a	
Discussion on incentives for medallion holders buying new alternative fuel vehicles.	January 10, 2006	
Discussion to replace Inspector Suslow, Officer Nevins, and Officer Ramos positions and add six more officers to the taxi detail.	January 10, 2006	
Request to calendar discussion about the Mark Gruberg's UTW, Lazar Luxor Settlement.	January 10, 2006	
Discussion on the Daly-Ma Ordinance.	January 10, 2006	
Discussion about ADA accommodations and who or whom should be issuing these accommodations.	January 10, 2006	
Discussion about a follow up on the Controller's report and about the things they missed on their first report.	January 10, 2006	
Meeting to discuss procedures applying for medallions changing from one color scheme to another.	January 24, 2006	
Meeting discussing the new Controller's Report (financial statements summary for taxi companies)	January 24, 2006	(Tent-June 13, 2006)

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Discussion asking the Board of Supervisors to license all bicycle riders. Also bicycles should have license plates.	March 14, 2006	
Discussion on having a designated person working for the cab fleets to assist the Police downloading the security cameras in the cabs.	March 28, 2006	
Discussion on Waybills.	April 25, 2006	
Request to calendar extending taxi school training for one more day for defensive driving and learning maps.	May 9, 2006	
Request to calendar a hearing on Tesfaya Chuffa complaint	May 9, 2006	
President Smith requests to calendar a hearing on Mr. Abraham Ahwid about his position on the medallion waiting list.	May 23, 2006	
Request to calendar the defacto management policy that has been in place for the past five years.	May 23, 2006	
President Smith request to calendar a discussion on the waybill policy and punishment of incorrect waybills. Waybills should be kept at the company and not be brought to the Taxi Commission office.	June 13, 2006	
Request to calendar a discussion on the DPT Hearing Officer and come up with a new system.	June 13, 2006	
Request to calendar a discussion to revisit the ADA modifications and who will give those modifications and what procedures will be used to get those modifications.	June 13, 2006	
Request to calendar to all Commissioners be notified of the impending disciplinary actions going before the hearing officer.	June 13, 2006	
Request to calendar that all Commissioners are notified of any correspondence before it goes out of the Taxi Commission office.	June 13, 2006	
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Licensing bicycles; safety hearing regarding bikes and making streets safer.	April 25, 20006	
Forming a working group for the health plan.	April 25, 20006	May 23 & June 27, 2006
Service hearing.	April 25, 20006	
Application process for taxi stands with DPT.	April 25, 20006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Commissioner McGuire	**Date of Request**	**Planned Hearing Date**
Posting of notices inside taxicabs and at various locations, informing the public that solicitation of ground transportation at SFO, SF hotels and streets is illegal. Also, advising the public how to identify taxicabs that are operating illegally in SF.	n/a	
Report on how much each company charges for a monthly lease	February 14, 2006	
Review of recent price increases at the various companies. How do these prices equate to what companies charge for gate and gas cabs? Insurance....Both workers compensation and liability...are they purchased by lease. Who purchases the vehicle? What is the average price of a vehicle? What is the average cost of monthly maintenance and who pays for it?	February 14, 2006	
Review of the controllers report regarding the long term lease and how it can be structured to fit within the gate cap legislation.	February 14, 2006	
Requests a discussion and possible action regarding the creation of an ordinance which would prohibit solicitation of passengers by hotel doorman.	May 9, 2006	
Requests Director Machen to arrange a viewing of the police training video regarding the unlawful activity of limousines and the SFTA video as well.	May 9, 2006	June 13, 2006
Commissioner McGuire requests a discussion and possible action regarding a recommendation to the Board of Supervisors Budget Committee to support Mayor Newsom in his request for allocation of 19 million dollars for street improvements.	May 23, 2006	June 13, 2006
Commissioner McGuire requests to calendar a discussion and possible action on restoring the cab stand at 750 Kearny St.	June 13, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**

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Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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Taxicab Commission

July 11, 2006

MINUTES

Commission Chambers - Room 400
City Hall,1 Dr. Carlton B. Goodlett Place
July 11, 2006
6:30PM
Regular Meeting

SF
T23
#2
7/11/06

Present: Breslin; Gillespie; Kwok; Benjamin; Paek; Oneto
Absent: Heinicke

ACTING PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:30 P.M.

STAFF IN ATTENDENCE: Acting Executive Director Tristan Bettencourt, Jaime Poblitz - Taxi Commission, Officer Paul Makaveckas - Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL** - Roll Call showed a quorum was present.

· City Attorney Tom Owen: In the absence of the President or Vice President the present members select someone by consensus from among their number to preside over the meeting.
· Commission Paek: I move to have Commissioner Gillespie act as President Pro Tem this meeting tonight.
· Commissioner Kwok: Seconds motion.

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3. **CONSIDERATION OF THE MINUTES for the June 27, 2006 TAXICAB COMMISSION MEETING** [ACTION]

· Commissioner Paek motions to approve the minutes. Commissioner Kwok seconded the motion. Motion passes 5-0.

AYES: Gillespie; Oneto; Kwok; Paek; Benjamin **NOES:** None
ABSENT: Breslin; Heinicke **RECUSED:** None

PUBLIC COMMENT

· Ruach Graffis: Listed in the minutes as in favor of Heidi Machen as Executive Director, feels it was inaccurate. Discussed how it was improper of the President of the Commission to communicate with Commission staff rather than through the Executive Director which was worthy of a dismissal on his part.

4. **CONSIDERATION OF THE CONSENT CALENDAR** [ACTION]

· Commissioner Kwok motions to approve item 4C1. Commissioner Paek seconded

the motion. Motion passes 4-0.

AYES: Oneto; Kwok; Paek; Benjamin **NOES:** None
ABSENT: Heinicke, Breslin **RECUSED:** Gillespie

· Acting President Gillespieexplains the consent calendar and procedures to the new Commissioners. Congratulates Medhat Dewidar for receiving his medallion.

C. Approved Taxicab/Ramped Taxicab Medallion Holder Permits granted to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Medhat Dewidar	1145	Yellow Cab Co-Op

PUBLIC COMMENT: No public comment

· Commissioner Oneto motions to approve the Consent Calendar. Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Gillespie; Oneto; Kwok; Paek; Benjamin **NOES:** None

ABSENT: Heinicke, Breslin **RECUSED:** None

A. Approved Public Passenger Vehicle Driver Permit(s):

Beyene K. Alemayehu	Irfan Ali	Emil Arutinovi	Charles C. Ajero
Cho Tun Aung	Sam S. Aung	Wai Lin Aung	Sean P. A. Aldeguer
Nay Myint Aye	Wesley F. Clark	Joe C. Copeland	Gabriel J. Amos
Bernardo A. Deleuse	David d. Dennis	Reagan D. Dennis	George Chen
Rohit Dhir	Eduardo M. B. Fajardo	Dennis F. Frleta	Hai Yuan Chen
Manyahlhal Germame	Adfrise E. Kabtyemer	Leonard J. Kazmarski	Alvin Y. H. Chu
Tesfaw S. Ketsla	Vijay Kumar	Anteneh G. Lakew	Jinoy P. Dave
Janice S. Lam	Dennis F. Lawlor	Laurence S. K. Lee	M. Bjon Farber
Brett D. Lillegard	Sai T. Line	Theodore M. Marshall	Geoffrey Gong
Tsehay G. Mebrahtu	Tanya V. Mena	Paul M. Miller	Faika H. Hamoda
Aung Naing Myint	Mufeed A. S. Nagi	David P. Reeder II	Sandra T. Haynes
Himmat S. Sandhu	Ephrem S. Shifa	Daniel A. Shinbachew	Ibrahim H. Heikal
Ronny H. Singh	Robert A. Smith	Mohammad T. Tanatrah	Dennis P. Koss
Danny H. Q. Tran	Ni Wine	Ilya Yankov	Michael Y. Lee
Jack Z. G. Lu	Tri Huu Ly	Viktor Morkovkin	Lakhvinder P. Singh
Satinder Singh	Vernon O. Snyder	Samuel S. Woldetensae	

B. Approved Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. David Xe	9072	Sunset Cab to Black & White Checker

D. Approved Time Waiver to:

Applicant Name	List #
1. Mohammad Ilyas	6-538

E. Approved removal of deceased applicant name)s) from the Taxicab/Ramp Taxi waiting list:

Applicant Name	List #
1. Francine Wiley	6-662

F. Approved list of Applicant Name(s)who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Patricia Y. Yuan	6-408

G. Approved list of Applicant Name(s) who are ineligible for a Ramp Taxicab Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name	List #
1. Roman Krimer	6-525
2. Jack Fung	6-437

PUBLIC COMMENT: No public comment

6. **STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS** [INFORMATION]

· Acting Executive Director, Tristan Bettencourt welcomes the new Commissioners and provides an update on issues and events ongoing with the Taxi Commission office. Sgt. Simpson of SFPD's Taxi Detail is steadily recovering from his recent illness; he is doing fine at this point, but will be off-duty for an indeterminateperiod of time. The entire Commission staff sends its best wishes to him and to his family. On Wednesday, June 28, I presented the Taxi Commission's line item budget to the Board of Supervisors Budget Committee for their final review. The Committee recommended that the full Board of Supervisors adopts our budget. I thank all of the Budget Committee members, and their staff, for their considerable help in making the budget process go smoothly for us. The Supervisors also voiced their concern about the recent dismissal of the Commission's Executive Director Heidi Machen, expressed their support of her, and said that they have always had a productive working relationship with her. I recently completed the Human Resources Department's 24 Plus training, which is a three-day series of intensive seminars required for all city supervisory and managerial personnel. Our auditor is making good progress in reviewing the driving requirement compliance of Prop K medallion

holders He has completed about half of the audits, and is on track to finish well before the end of the year. Overall compliance is pretty good. We are looking at roughly 10% which will require further review. I have asked DPT to do surveys of several sites for new taxi stands at BART stations. Specifically: Civic Center, 16th St, 24th St, and Balboa Park. DPT is also doing a survey on Second St between Brannan and Townsend to establish a new taxi stand for the ballpark. The existing stand experiences major congestion problems, and we hope that this change will ease the flow of taxis serving the ballpark.

COMMISSIONER ANNOUNCEMENTS:

· President Gillespiewelcomes the new Commissioners and acknowledges former Commissioner Mary McGuire. Requests to calendar the consideration of a nomination of Executive Director for the Taxi Commission and the election of the President to replace Commissioner Smith.
· Commissioner Paek welcomes the new Commissioners. Seconds Commissioner Gillespie's request for nomination of an Executive Director and election of a new President.
· Commissioner Kwok welcomes the new Commissioners.
· Commissioner Benjamin and Commissioner Oneto thanked the Commission for the welcome and are both in favor of Commissioner Gillespie's request to calendar to be placed on the next agenda.

PUBLIC COMMENT

· Jim Kennedy: Welcomes the new Commissioners. Reads the Taxi Commission mission statement.
· Robert Cesana: Thanked the new Commissioners. Feels a new Director should not be appointed.
· Thomas George Williams: Welcomed the new Commissioners; commented on former Commissioner McGuire. Said that she did not represent labor after she received her medallion.

5. **PUBLIC COMMENT**

· Brooks Dyer: Agrees with the decision of the dismissal of Director Machen.
· Blake Derby: Speaks on the dismissal of Heidi Machen; displays first A-card picture of himself on overhead.
· Charles Rathborne: Welcomes the new Commissioners; invites the Commissioners to visit his website, www.taxi-1.org.
· Dave Schneider: Prepared overhead information for the Commission on taxi drivers and court cases.
· Tesafaye Chuffa: Speaks on the dismissal of Heidi Machen and feels the other Commissioners should not have been dismissed. Also feels he has been misplaced on the medallion list.
· Arthur Lembke: Agrees with the decision to dismiss Director Machen. Speaks on Proposition K legislation and recent news articles.
· Robert Cesana: References a news article from the Chronicle; feels auditing by staff should be stopped.
· Jim Kennedy: Discussed waybill policies and procedures.
· Carl Macmurdo:Welcomes the new Commissioners; praised the out-going Commissioners. Touched on the dismissal of the Executive Director and the media coverage of recent events.
· Commissioner Gillespie:Announces the arrival of Vice President Breslin. Meeting is now chaired by Commissioner Breslin.
· Jane Bolig:Gives brief history on the Taxi Commission. Speaks on the dismissal

of the Executive Director.

- Dan Hinds:Welcomes the new Commissioners and acknowledges the former Commissioners. Discusses the dismissal of the Executive Director.
- Bill Mouwsey: Feels the recent events are disgraceful.
- Mark Gruberg: Welcomes the new Commissioners; asks the Commission to review UTW's letter in the packet on the health care working group. Discusses events from the last meeting.
- Peter Shu: Inquires on the many potholes on the streets.
- Thomas George Williams: Feels the firing of Heidi Machen was a power grab for the companies.
- Mike Spain: Welcomes the new Commissioners to the meeting. Discussed the dismissal of the Executive Director.
- Barry Taranto: Welcomes the new Commissioners. Speaks on the events from the last meeting. Feels the former Commissioners should be given a certificate for their service.
- Anne McVeigh: Reads SF Chronicle article and provides documents from the Ethics Commission.
- Ruach Graffis: Welcomes the new Commissioners and requests that Commissioners be open to both sides of arguments on issues.
- Tariq Mehmood: Speaks on the dismissal on Heidi Machen and the issue of medallions. Supported Executive Director Machen.
- Acting President Breslin: Requests to hear Commissioner announcements since she was absent at the beginning of the meeting.
- City Attorney Tom Owen: You can reopen the item and you will have to re-open public comment on your announcements.
- Acting President Breslin: Congratulated Commissioners Gillespie and Paek on their reappointments. Welcomes the new Commissioners. Requests to calendar a service hearing and bicycle safety hearing.
- Commissioner Kwok: Comments on former Commissioners.
- Commissioner Gillespie: Board of Supervisors passed the management exemption legislation and I would like to calendar that for August.
- Jim Kennedy: Commends Commissioners for their vote on the dismissal of the Executive Director.
- City Attorney: Public comment needs to address Commissioner Breslin's announcements.
- Acting President Breslin: Gives clarification that she did not speak on the closed session or the dismissal. Clock is restarted.
- Jim Kennedy:Continues to speak on Heidi Machen.
- Acting President Breslin:I have to stop you.
- Art Lembke:Praises Martin Smith and his family.
- TesafayeChuffa:Speaks on the Commissioner who were dismissed.
- Ann McVeigh:Welcomes the new Commissioners and speaks on the former Commissioners.
- Dave Schneider: Speaks on former Commissioner Mary McGuire. Bicycle riders should wear reflectors at night.
- Bill Mouwsey: Comments on former President Smith.
- Blake Derby: Comments on former Commissioners.
- Mike Spain: Comments on former Commissioners.
- Carl MacMurdo: Thinks it is good the Mayor appointed someone from the teamsters to the labor seat.
- Tariq Mehmood: Speaks on former Commissioners. Feels Commissioner Breslin only sides with medallion holders and is the anti-driver Commissioner.
- Acting President Breslin: I do not feel this was part of my announcements.
- Tariq Mehmood: You have listened to everyone else but when it comes to you, you don't want to listen.
- Acting President Breslin: I did not announce anything about myself.
- Tariq Mehmood: Forget who are gone take care of the future, we are in your hands.

7. REVISING ADA PROCEDURES TO MAKE SF HEALTH DEPARTMENT RESPONSIBLE FOR GIVING ACCOMMODATIONS [DISCUSSION AND POSSIBLE ACTION]

· Commissioner Gillespie motions to continue to the call of the chair. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; Oneto; Kwok; Paek; Benjamin
NOES: None
ABSENT: Heinicke
RECUSED: None

PUBLIC COMMENT

· Art Lembke: Believes all decisions concerning accommodations should rest with the San Francisco Public Health Director and not with the Commission.
· Robert Cesana: Feels the Commission should have an independent arbitrator who is medically qualified to review if someone is disabled.
· Brooks Dyer:Is in favor of the Executive Director of deciding who is disabled.
· Jim Kennedy:Feels the Executive Director hijacked Prop K and feels the catastrophic illness rule of getting sick once every five years is ridiculous.
· Carl MacMurdo:Feels Dr. Mitchell Katz should make decisions on ADA accommodations. Gives example of a specific ADA case.
· Anne McVeigh: Believes Dr. Katz should return to what he did before in making the medial decisions on who is disabled or not.
· Dan Hinds: Gives brief history on Proposition K and ADA; the prior procedure with Dr. Katz evaluating the cases on individual cases worked. Feels a doctor should evaluate medical claims.
· Blake Derby:Feels ADA should not be an issue.
· Mark Gruberg: Item should be continued until a resolution is created on what is being asked. The Commissioner should hear from the Dept. of Public Health and Mayor's Office of Disability.
· Bill Mouwsey: Knows what the rules are in receiving a medallion, Mark Gruberg is the only medallion holder with integrity.
· Marshall Childs: Welcomes new Commissioners. Feels drivers should be medically examined before they receive A-cards. Speaks on former Commissioner Smith.
· Tesafaye Chuffa: Disabled people are neglected; common sense needs to be used in dealing with these issues.
· Director Susan Mizner, Mayor's Office on Disability:Gives introduction of behalf of her office. Offers services to work with the Commission in the future on issues. Explained basic idea that essential eligibility requirements don't have to be changed.
· Commissioner Benjamin:Has your office found any other solutions from other cities?
· Director Susan Mizner:Our office has not been asked to look at any other cities but our office has spoken to the Taxi Commission staff. Gives overview of ADA structure.
· Acting President Breslin:Thank you Director and I do intend to invite her back if we continue this subject.
· Commissioner Kwok:I have talked to Heidi Machen on this issue before. ADA guidelines should apply the same in all 50 states but San Francisco has limitations because of Prop K.
· Thomas George Williams: Does not hold a medallion but drives everyday. Good idea in checking all drivers for medical conditions. Retirement is needed for drivers.

· Tariq Mehmood: Feels system in place is working, ADA decisions should not go the Health Department.
· MikeSpain:Gives history on ADA policy created by Naomi Little, believes it should return to its original format.
· Jane Bolig: Speaks on Proposition K.
· Ruach Graffis:Also speak on Proposition K. Requests the Commission not to vote on item and to speak to other agencies before making a decision.
· Dave Schneider:Feels accommodations are reasonable.

Discussion ensued, including the following points:

· Acting President Breslin feels the item should be continued. Commissioner Gillespie agrees the item needs to be continued to the call of the chair; input is needed from other departments.
· Commissioner Kwok feels matter should be looked at from different perspectives since it is a special situation. Questions who has the ultimate power to make ADA accommodations; the Taxi Commission staff or the Health Department.
· Commissioner Paek understands this is a controversial issue and would like item be continued.
· Commissioner Gillespie motions to continue item to the call of the chair. Commissioner Park seconds motion.
· Acting President Breslin requests Commission staff to prepare further information and documents for the new Commissioners on the item.

8. **DISCIPLINARY ACTION CHANGES** [DISCUSSION AND POSSIBLE ACTION]

· Commissioner Gillespie motions to continue to the call of the chair. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Breslin; Gillespie; Oneto; Kwok; Paek; Benjamin
NOES: None
ABSENT: Heinicke
RECUSED: None

· Acting President Breslin:Suggests the Commission continue the item since there are new Commissioners. Calls for public testimony.

· City Attorney Tom Owen:If someone speaks tonight they will not be able to speak at the next hearing.

· Acting President Breslin:I will leave the time at 3 minutes. Requests the staff to prepare information for the new Commissioners on this particular item.

· Commissioner Gilliespie: Motions to continue item to the call of the chair.

· CommissionerPark: Seconds motion.

PUBLIC COMMENT: No public comment

ADJOURNMENT

Meeting adjourned at 9:10PM.

Respectfully Submitted,

Jaime Poblitz
Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

RICHARD BENJAMIN, COMMISSIONER, ext. 1
PATRICIA BRESLIN, VICE PRESIDENT, ext. 2
PAUL GILLESPIE, COMMISSIONER, ext. 3
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

TRISTAN BETTENCOURT, ACTING EXECUTIVE DIRECTOR

SF
T23
#1
7/25/06

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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July 25, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Election For President And, If Necessary, For Vice President, Of The San Francisco Taxicab Commission. [Action]
4. Consideration of the Minutes for the July 11, 2006 Taxicab Commission Meeting. [ACTION]
5. Consideration of the Consent Calendar. [ACTION]
6. Public Comment (Please limit public comment to items **not** on the agenda).
7. Staff Report and Commissioner Announcements [INFORMATION]
8. Revising ADA Procedures to Make SF Health Department Responsible for Giving Accommodations [DISCUSSION AND POSSIBLE ACTION]
9. Discussion on color schemes changing dispatch services from one company to another. Discussion of parking space availability for shift changes. [DISCUSSION AND POSSIBLE ACTION]
10. Closed Session – Public Employee Nomination: Executive Director Of Taxicab Commission (ACTION)
    a. Public comment.
    b. Closed session as described above, pursuant to Section 67.10(b) of the San Francisco Sunshine Ordinance (S.F. Admin. Code §67.10(b)) and Section 54957(b) of the Ralph M. Brown Act (Cal. Govt. Code §54957(b)).
    c. Vote on whether to disclose closed session discussion. (ACTION)
    d. Report on any action taken as required by Section 67.12(b)(4) of the Sunshine Ordinance (S.F. Admin. Code §67.12(b)(4)) and Section 54957.1(a)(5) of the Ralph M. Brown Act (Cal. Govt. Code §54957.1(a)(5)).
11. Adjournment

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Taxicab Commission Agenda - Regular Meeting
July 25, 2006, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Aaron T. Apperson	Dev Bahadur Basnet	Javier Cabrera-Bricio
Charles T. Dowling	Yamen Eltawil	Wayne R. Z. Feng
Flavio S. Gomes	Gam B. Gurung	Mugalli A. Hassan
Steven M. Kaplan	David M. Kern	Perter P. C. Liu
Tahir Mohmood	Isreal Megerssagenbaba	Mohamed M. Noureldin
Mansur Nurullah	Fraydoun Omar	Mohmud Omar
Howard A. Patrom	Luis R. Q. Rios	Balbir Singh
Binod B. Singh	Youssef K. Soras	Bimal Subba
Miseker K. Tekeste	Gutema T. Tezera	Juan C. Tibaduiza
Jian Xing Xu	Frankie Zhen	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. George Lancia	846	Sunset Cab to Union Cab
2. Jack Shuck Hoey	386	DeSoto Cab to WorldWide Cab

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Larry Kaplan	559	Yellow Cab Co-Op
2. Joseph Tesfaldet	303	DeSoto Cab
3. Charles Gale	228	Yellow Cab Co-Op
4. Michael Byrne	666	DeSoto Cab

D. Consideration of the Taxi Commission to grant a Time Waiver to:

Medallion Applicant Name:	List #:
1. Danil Levi (RAMP)	6-554
2. Gary Martinovsky	6-417
3. Edward Gruzman	6-418

E. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s):	List #:
1. Francis McMahon	6-409
2. James M. Houillion	6-410
3. Frank Glade	6-411
4. Leon T. Le	6-416

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 8, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. Kwok Man Ho	1053	Fog City Cab to Luxor Cab
2. Carlos J. Arroyo	808	Yellow Cab to Regents Cab

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. Luis Herrada	6-414
2. Gary Bellotti	6-036

C. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s):	List #:
1. Marcellus C. Jackson	6-420
2. John Chou*	6-421

**Responded however, he was not a full time driver for 2004, 2004 or 2006*

D. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	List #:
1. Catherine K. Cheng	6-548
2. Austin Peterson	6-552

E. Commission Request to Calendar

Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	August 22, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	August 8, 2006
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	
Request to calendar a nomination for the Executive Director position and the election of the Taxi Commission President	July 11, 2006	July 25, 2006
Commissioner Gillespie	**Date of Request**	**Planned Hearing Date**
Request to calendar a nomination for the Executive Director position and the election of the Taxi Commission President	July 11, 2006	July 25, 2006
Management exemption	July 11, 2006	August 8, 2006
Commissioner Paek	**Date of Request**	**Planned Hearing Date**
Request to calendar a nomination for the Executive Director	July 11, 2006	July 25, 2006

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position and the election of a President		
Commissioner Oneto	**Date of Request**	**Planned Hearing Date**
Request to calendar a nomination for the Executive Director position and the election of the Taxi Commission President	July 11, 2006	July 25, 2006
Commissioner Benjamin	**Date of Request**	**Planned Hearing Date**
Request to calendar a nomination for the Executive Director position and the election of the Taxi Commission President	July 11, 2006	July 25, 2006

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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San Francisco Taxicab Commission

July 25, 2006

MINUTES

Commission Chambers – Room 400

City Hall,1 Dr. Carlton B. Goodlett Place

July 25, 2006

6:30PM

Regular Meeting

DOCUMENTS DEPT.

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Present: Breslin; Kwok; Benjamin; Paek; Oneto; Heinicke

Absent: Gillespie

VICE PRESIDENT BRESLIN CALLED THE MEETING TO ORDER AT 6:50 P.M.

STAFF IN ATTENDENCE: Acting Executive Director Tristan Bettencourt, Jaime Poblitz – Taxi Commission, Officer Paul Makaveckas, Cynthia Kulstad – Taxi Detail, Paul Zarefsky, Janie Richardson – City Attorney

- **Vice President Breslin:** Welcomes public to the Commission hearing and gives the order in which the agenda will be heard.
- **Commissioner Kwok:**Confirms order with Vice President.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL – Roll Call showed a quorum was present.

4. CONSIDERATION OF THE MINUTES for the July 11, 2006 TAXICAB COMMISSION MEETING [ACTION]

Commissioner Kwok motions to approve the minutes. Commissioner Oneto seconded the motion. Motion passes 6-0.

AYES: Breslin; Oneto; Kwok; Paek; Benjamin; Heinicke **NOES:** None

ABSENT: Gillespie
RECUSED: None

PUBLIC COMMENT

- **Peter Witt:** Welcomes the new Commissioners and speaks on the posting of corrections of the minutes. Inquires if the Commissioners will ever post the missing minutes of 1998.
- **Robert Cesana:**Represents the PDA and has a medallion with Yellow Cab. Discusses the missing information in the packets on the proposed change on Item 8. This is a deliberate policy on behalf of the Taxi Commission staff and a problem with the previous Executive Director.

5. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]

Commissioner Oneto motions to approve the Consent Calendar. Commissioner Breslin seconded the motion. Motion passes 6-0.

AYES: Oneto; Kwok; Paek; Benjamin; Heinicke, Breslin
NOES: None

ABSENT: Gillespie
RECUSED: None

PUBLIC COMMENT

- **Tariq Mehmood:** Feels there are many drivers being approved on the consent calendar but the companies are not hiring right now, requests the Commission to look into the issue and not to approve the drivers when they do not have jobs.
- **Barry Taranto:**Requests the Commission to congratulate the drivers who are receiving medallions.
- **Vice President Breslin:**Asks the drivers who are receiving medallions to stand up to be applauded.

A. *Approved Public Passenger Vehicle Driver Permit(s):*

Aaron T. Apperson	Dev Bahadur Basnet	Javier Cabrera-Bricio
Charles T. Dowling	Yamen Eltawil	Wayne R. Z. Feng
Flavio S. Gomes	Gam B. Gurung	Mugalli A. Hassan

Steven M. Kaplan	David M. Kern	Perter P. C. Liu
Tahir Mohmood	Isreal Megerssagenbaba	Mohamed M. Noureldin
Mansur Nurullah	Fraydoun Omar	Mohmud Omar
Howard A. Patrom	Luis R. Q. Rios	Balbir Singh
Binod B. Singh	Youssef K. Soras	Bimal Subba
Miseker K. Tekeste	Gutema T. Tezera	Juan C. Tibaduiza
Jian Xing Xu	Frankie Zhen	

B. *Approved Color Scheme Change to:*

Medallion Holder:	**Medallion #:**	**Change:**
1. George Lancia	846	Sunset Cab to Union Cab
2. Jack Shuck Hoey	386	DeSoto Cab to WorldWide Cab

C. *Approved Taxicab/Ramped Taxicab Medallion Holder Permits granted to:*

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. Larry Kaplan	559	Yellow Cab Co-Op
2. Joseph Tesfaldet	303	DeSoto Cab
3. Charles Gale	228	Yellow Cab Co-Op
4. Michael Byrne	666	DeSoto Cab

D. *Approved Time Waiver to:*

Applicant Name	**List #**
1. Danil Levi (RAMP)	6-554
2. Gary Martinovsky	6-417
3. Edward Gruzman	6-418

E. *Approved list of Applicant Name(s)who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Section 1080(c)(2):*

Applicant Name	**List #**
1. Francis McMahon	6-409

2. James M. Houillion	6-410
3. Frank Glade	6-411
4. Leon T. Le	6-416

7. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS
[INFORMATION]

- **Acting Executive Director, Tristan Bettencourt** announces resignation of position with Taxi Commission. Lion Productions who produces the television show Cash Cab on the Discovery Channel, has been in preliminary discussions on the staff level about possibly hosting their taxi cab based game show in San Francisco for one season. Semi-annual dispatch reports have been received except from Union which is working on it, this information is collected in anticipation of the next PC&N Hearing, the materials are related to Item #9.

COMMISSIONER ANNOUNCEMENTS:

- Vice President Breslinhas received letters and phone calls about speakers being intimated at the Commission hearings.Encourages people to report incidents to the Commission or the Taxi Detail. Announces the service hearing on Aug. 8th and the traffic safety hearing on Aug. 22nd.Thanked Tristan for stepping in as Acting Director and for his service. Thank you Tristan.
- Commissioner Heinicke introduces himself as the new Commissioner and gives brief background on prior work experience. Looks forward to working with all the Commissioners and the public, please feel free to contact him anytime.

PUBLIC COMMENT

- **Barry Taranto:** Welcomes the new Commissioners and addresses the staff report.Speaks on his relationship with Tristan and feels he has gone out of his way with his knowledge to help improve taxi service and in helping drivers. Feels more driver training should be part of the service hearing.
- **Mark Gruburg:**Experienced the most courteous and attentive treatment from Mr. Bettencourt and staff. Wishes him the best of luck and hopes the Commission moves on to its original business.
- **City Attorney P. Zarefsky:** Matters that come up in relation to Mr. Bettencourt in the context of other agenda items you can disallow repetitive comment by the same speaker making the same point on a

different agenda item.

- **Tesafaye Chuffa:** Speaks on experiences with Mr. Bettencourt and commends him for his responsiveness to issues. Appreciates his service.
- **Peter Witt:**Feels the Cash Cab show is not a good idea for San Francisco and it's just a money maker for Discovery Channel. Many drivers are intimated at the Commission hearing, suggests drivers to write a anonymous complaint.
- **Thomas George Williams:**Thanked the Commission for bring the issue of intimidation on the Commissioner announcements and also thanked Tristan for his service.
- **Robert Cesana:**Speaks on Mr. Bettencourt and feels the Commission needs to be stronger in screening employees.
- **Norma Geer:**Discusses intimidation and has not seen evidence of incidents happening, thanked Vice President Breslin.
- **Dave Schneider:**Welcomes Commissioner Heinicke and commends Mr. Bettencourt for his work at the Taxi Commission.
- **Jane Bolig:** Speaks on behalf of Veterans Cab to extend an invitation to all the Commissioners to come to the office and see how a taxi company operates.
- **Anne McVeigh:**The new Commissioners should be given 2-3 weeks to familiarize themselves with the industry and issues. Feels Mr. Owen should be replaced
- **Jim Kennedy:**Requests Jack Brodnax to be replaced along with other staff.
- **Tariq Mehmood:**Feels intimidation is used against those who speak at the hearings. Also discusses the departure of Mr. Bettencourt
- **Commissioner Benjamin:**In regards to Mr. Kennedy's complaints to his records being taken from the company; the solution is a receipt process and in the future that should be resolved and we can bring it up at another time.
- **Vice President Breslin:**Discusses the order of agenda, looks to other Commissioners on whether to take the closed section or election of the President. The Commissioners wish to take the election of the Commission President.

3. ELECTION FOR PRESIDENT AND, IF NECESSARY, FOR VICE PRESIDENT, OF THE SAN FRANCISCO TAXICAB COMMISSION [ACTION]

Commissioner Oneto motions to elect Commissioner Gillespie for President of the San Francisco Taxi Commission. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Oneto; Kwok; Paek; Benjamin; Heinicke, Breslin
NOES: None

ABSENT: Gillespie
RECUSED: None

PUBLIC COMMENT

- **Robert Cesana:** Nominates Malcolm Heinicke as President because of his prior experience as an attorney, feels he would be a neutral party.
- **Barry Taranto:** Former President Jackson knew how to run a Commission. The Commission needs to pick someone with the same skills, and urges to nominate Paul Gillespie as President. If not Malcolm Heinicke as already served on other Commissions and would be a good candidate for Vice President.
- **Peter Witt:** Feels the Commission has been a fraud from the beginning. Gives condolences to the Jackson family but doesn't feel he understood anything. Requests his speaking time be given back.
- **Thomas George-Williams:** UTW endorses Paul Gillespie as President and would like to see Malcolm Heinicke as Vice President.
- **Vice President Breslin:** The Vice Presidency is not an issue at this time; we are speaking about the election of the President.
- **Frank Fahy:** I hope the President when he is elected will go back to focusing on what is important in this industry like getting a $2.00 raise in the fare to pay for the gas. Comments on Tristan Bettencourt.
- **Mark Gruberg:** Paul Gillespie is the longest serving Commissioner on this Commission. He knows the issues and is focused on the wider issues that concern our industry. Believes Mr. Heinicke would make a excellent President but there is an enormous difference in their experience and understanding of the industry.
- **Dave Schneider:** Paul Gillespie drafted the Mission Statement of the Commission and has been on it the longest and should be elected President.
- **Art Lembke:** Doesn't feel those Commissioners that voted to keep Heidi should be the President, prefers one of the new three

Commissioners to be nominated.

- **Norma Geer:** Prefers to see Commissioner Breslin as President because she has been less partial unlike Gillespie who has a driver bias.
- **Steven Rimmers:**Continue this wonderful breath of fresh air and continue Mrs. Breslin as your President.
- **Murai:** Commissioner Breslin has stood her ground and is a wonderful person. I totally recommend her.
- **Unidentified Speaker:** Feels the idea of a driver bias is absurd. Placing a new Commissioner as President is just plain weird.
- **Blake Derby:** Does not feel Paul Gillespie is a good fit as President. Inquires if there is a representative of medallion holders on the Commission.
- **Carl MacMurdo:** Feels Patricia Breslin would be the best choice but as President of the Hotel Council she doesn't have time. Concerned with the bias Paul Gillespie has shown towards one group against another. Malcolm Heinicke is commended for his interest in the industry.
- **Bill Mouwsey:** Paul Gillespie is the only person that should be head of this Commission.
- **Ann McVeigh:**Recommends Malcolm Heinicke because of his education and background. Is against Paul Gillespie as President.
- **Jane Bolig:** The job of this Commission is to look after the public interest and it seems to me the comments you have heard about Mr. Gillespie detract from the central concern. I hope Vice President Breslin reconsiders and throws her hat into the ring to become President.
- **Tesafaye Chuffa:** Feels the Commission needs an impartial person as President and nominates Vice President Breslin.
- **John Nakas:**Wishes Commissioner Breslin changes her mind, if not believes Malcolm Heinicke would be a good President.
- **Ruach Graffis:**Whenever someone speaks for driver-worker they are instantly labeled a communist, management should have a voice on this Commission. Recommends Paul Gillespie to the chair.
- **Tariq Mehmood:**Feels Paul Gillespie would make a fair President.

Discussion ensued, including the following points:

- Commissioner Oneto has spoken with Paul Gillespie and has found him to be very fair and articulate. He is the most senior Commissioner on this Commission and Paul Gillespie is a taxi driver and I think he would represent the industry the best.

- Commissioner Heinicke thanked the Commission and the public who have expressed their interest. I am not seeking a leadership position on this Commission but appreciates the comments from the public. I am not ruling out future leadership posts if it's right for everyone involved but now is not the time; I am too new to the Commission and issues. I have met with Paul and understood he is interested in this position and it's not my impression he is biased. If you think he is biased I remind you he is only one vote. He is a very fair, decent, and hard working person and I'm inclined to support him at the same time I'm also inclined to hear from our more senior Commissioners whose opinions I'll value very much.
- Commissioner Kwok would like a President with a strong backbone, who is independent and unbiased. Understands the new Commissioners would not be as knowledgeable on the issues and the industry. Welcomed to anyone in the future stepping up as President in the future.
- Commissioner Benjamin feels Commissioner Gillespie would be a good choice from hearing the public comment.
- Commissioner Paek feels Paul Gillespie takes the time on the issues and is willing to do it.
- Vice President Breslin comments on the public testimony and feels that all sides of the issue were represented. Respectively declines any nomination for the President's seat. Disappointed that Commissioner Heinicke does not want to run but understands why is not seeking the post. I will fully support Paul Gillespie's nomination if someone chooses to make it.
- Commissioner Kwok requests staff to contact Commissioner Gillespie of his election as President.

10. CLOSED SESSION-PUBLIC EMPLOYEE NOMINATION: EXECUTIVE DIRECTOR OF TAXICAB COMMISSION [ACTION]

Commissioner Heinicke motioned not to disclose the discussion from the Closed Session. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Breslin; Kwok; Heinicke; Oneto; Paek; Benjamin **NOES:** None

ABSENT: Gillespie **RECUSED:** None

Discussion ensued, including the following points:

- Vice President Breslin requests to address Item 10 if the Commission would like to go into closed session without the new President. I will take public comment and if it is determined that we are going into closed session it will stay in the position it is on the agenda. Requests to speak to the City Attorney.
- City Attorney P. Zarefsky responds and says it's perfectly fine for the Commission to go forth but people should have a right for public comment on this agenda Item 10 that would include but not be limited to the question if the agenda item should be continued. There needs to be a unitary public comment on all matters pertaining to Item 10.
- Vice President Breslin I would like to address Item 10 and whether or not the Commission should go into closed session without our new President.
- Commissioner Benjamin inquires to the City Attorney if there is a problem if the Commission goes into session without the President here?
- City Attorney P. Zarefsky responds and states because this item was placed on the agenda and there is a quorum the Commission may go into closed session.
- Commissioner Kwok recalls in the past there was selection process of applicants of candidates for the Executive Director position. Do we have a list of people to review from? Vice President Breslin states the agenda item is open and the discussion should form a timeline.
- City Attorney P. Zarefsky answers it is up to the Commission on what process they would like to make. Explains to Commission other alternatives on process matters.

PUBLIC COMMENT

- **Art Lembke:** Comments on Heidi Machen and Tristan Bettencourt.
- **Vice President Breslin:**Interrupts Mr. Lembke and inquires if the comments are relevant to the issue of the closed session.
- **City Attorney P. Zarefsky:** Given the fact there has been plenty discussion in the pubic media, including the mayor himself, about the possibility of the former Executive Director coming back or being re-hired, in my judgment this is relevant to the closed session.
- **Vice President Breslin:**Give him back his time.
- **Art Lembke:**Continues to comment on Heidi Machen and her

relationship with Tristan Bettencourt. Requests Commission to search for other nominees.

- **Tesafaye Chuffa:** Gives advice to the Commission on hiring an Executive Director.
- **Barry Taranto:**The Commission cannot interfere with the roll of staff and needs to pick an Executive Director who will carry out your edicts. You must find someone to lead this department tonight.
- **Mark Georgy:**Introduces Blake Derby and Dennis Corkess and asks to aggregate there 2 minute allotments into a single six minute chuck to play a video tape that relates to Heidi Machen.
- **Vice President Breslin:**Asks the City Attorney if the video tape can be allowed.
- **City Attorney P. Zarefsky:**Explains to Commission position on playing a video tape and using the public speaking time to do so.
- **Vice President Breslin:**Questions Commissioners on whether or not to allow the playing of the video tape.
- **Commissioner Kwok:**If the tape relates to Tristan Bettencourt and he is not a candidate for the job then what is the relation. We set an example for people to play long videos and I have never seen this before at a hearing.
- **Commissioner Heinicke:**It's their two minutes and they get to say what they want to say. The chair has to cut if off if it does not relate.
- **Vice President Breslin:**I will be listening to the relevancy of what you are about to show to this specific issue to the closed session. I want to hear something before the video.
- **Mark Georgy:**This six minute piece relates to one particular candidate for the Executive Director's job; Heidi Machen and relates to her judgment and performance. Plays video from channel 7 news.
- **Dennis Corkess:**I would like to yield my 2 minutes. Plays video from channel 7 news.
- **Blake Derby**: I would like to yield my 2 minutes. Plays video from channel 7 news.
- **Dan Hinds**: Welcomes Commissioner Heinicke and comments on the decision to dismiss former Executive Director Machen. Feels Commission should have a selection process.
- **Charles Rathborne**: Requests Commission not to rehire Mrs. Machen. Concerned that qualified persons are not given the opportunity to apply for this job.

- **Carl MacMurdo**: Thanked Dan Noyes for his excellent documentary. Comments on Heidi Machen and Tristan Bettencourt's relationship. Reads the San Francisco City Charter Section 4.102 on the issue of Commissioners appointing department heads.
- **Christopher Fulkerson:** Doesn't feel the Commission should rehire Heidi Machen.
- **David Pilpel:**Commission should be about the regulation of the taxi industry given the circumstances that we are under I believe it be best to recommend to the Mayor the reappointment of Heidi Machen. Encourages the Commission to announce following the closed session that the Commission will forward names to the Mayor.
- **Michael Spain:** Requests Commission if they go into closed session they appoint an Interim Director, suggests Officer Suslow. Presents City Charter on overhead and explains to the Commissioners the process of nominations.
- **Ann McVeigh:** Reads article on Heidi Machen and Tristan Bettencourt.
- **Steven Rimmers:** Feels it's important that the Commission go forward in appointing an Executive Director.
- **Robert Cesana:**There are no applicants since the job was not advertised. Comments on Heidi Machen.
- **Mark Gruberg:**Gives reason why Heidi Machen should be reappointed. If you don't reinstate her back those who don't want to see the rules and laws enforced are going to win. Mr. Bettencourt has been used to get at her.
- **Peter Witt:**Comments on Heidi Machen and the Controller's customer survey. Concerned with missing information with PC&N packets.
- **Ruach Graffis:**Heidi Machen was appointed by Mayor Newsom to reform the taxi industry. Heidi was doing her job and doing it well. Bring Heidi back to finish the job that she started, the one she was hired to do, and the one that still needs doing.
- **Thomas George Williams:**The scandal is proof that Heidi did a good job, people are afraid they have to drive.
- **Jane Bolig:**The name I don't see on this agenda is Heidi Machen we don't know who you are going to discuss. I hope now and in the future policies can be set up for this election of the Executive Director that is public.
- **Bill Mouwsey:** Heidi Machen has maintained a system that is the best in the country of moving the medallion list faster.

- **Tariq Mehmood:**Heidi Machen went after medallion holders who were not obeying the rules. Tristan Bettencourt was used to get rid of her. Please bring her back.
- **Dave Schneider:**Speaks on Heidi Machen and feels she should return to continue the good work she was doing.
- **Norma Geer:**Believes Heidi Machen misinterpreted Proposition K and doesn't understand why medallion holders are being portrayed as greedy.

Discussion ensued, including the following points:

- Commissioner Benjamin asks the City Attorney what his opinion is on the comments made about three candidates being nominated. City Attorney P. Zarefsky reads an excerpt on nominations.

Commissioner Heinicke motions to go forth with the closed session. Commissioner Benjamin seconded the motion. Motion passes 6-0.

AYES: Breslin; Heinicke; Oneto; Kwok; Paek; Benjamin **NOES:** None

ABSENT: Gillespie
RECUSED: None

Discussion ensued, including the following points:

- Vice President Breslin motions to go into closed session.
- City Attorney P. Zaresfsky makes a general comment to the Commission that statements made by the public speakers on the closed session aren't automatically incorporated, and it's the Commissions responsibility to make personal decisions.
- Vice President Breslin requests a motion to go into closed session. Commissioner Kwok motions and Commissioner Paek seconds motion.
- Vice President Breslin upon return from closed session announces that the Commission is sending nominees to the Mayor for review.

6. PUBLIC COMMENT

- **Thomas George Williams:**Speaks on the corruption in the taxi

industry, and manager Jim Gillespie who is a convicted felon. Feels the industry needs to be cleaned up.

- **Art Lembke:**Doesn't understand why a medallion can't be sold or left to a spouse. Post K permit holders waited 15-20 years to get their medallions.
- **Blake Derby:** Proposition K was not about driving until I am dead. I signed an intent to keep it on the road and it cost me a lot of money. You are letting people have too much power. You need to charge money to the hotels for the history of the rip-offs of limousines.
- **Robert Cesana:** If you look at the minutes of the staff report it says our auditor is making good progress in reviewing the driving requirement in compliance with Prop. K. What's strange is that the driving requirement was before Heidi came along. Her office has gone to a number of cabs companies for audits and has not followed the law by taking the waybills.
- **Mark Gruberg:** Thomas George Williams the chair of United Taxicab Workers was fired from his job at National Cab. I know a number of drivers over the years who have been fired for activism. If you see fewer drivers without medallions here in this room keep in mind they are here with a fair amount of courage.
- **Murai:** Most medallion holders who I see are working full time and complying. Daly Ma came in and made a wonderful thing that drivers have to drive prior to getting a medallion.
- **Tesafaye Chuffa:** Does not hold a medallion and the previous Directors have taken away his due procedure for the last six years. Those who are on the list deserve a medallion when their name comes up on the list if they meet the driving requirements.
- **MichaelSpain:**Addresses comments made earlier by Mark, many of the drivers do get into hassles with their companies they are working at but it's not political. Mark Gruberg was politically active at Yellow and was never fired, he left after he received his permit. Feels staff is putting wrong information in the packets.
- **Unidentified Speaker:**Wants Commission to move forward to better the taxi industry and allow those who don't have the money to pay the fees after they get the job to serve the city.
- **Carl MacMurdo:** Congratulates Paul and would like him to agenda the federal disability law. Regarding Jim Gillespie he is not a convicted felon. Gives packets to the Commissioner Heinicke on the federal disability law and ADA procedures.
- **David Pilpel:** Comments on Tristan Bettencourt's departure and

thanked him for his service.

- **Christopher Fulkerson:** Please act soon on the proposed gas surcharge. Comments on the SF Taxicab Industry equity analysis.
- **Dan Hinds:** Speaks on issue with Thomas George-Williams. Angry that people would suggest that he was fired because of his activism. Gives history of relationship.
- **Dave Schneider:** The Taxi Commission may want to consider an all hybrid fleet as soon as possible and have all centralized GPS cabs.
- **Peter Witt:** Feels nobody cares about this industry. Would like the next President to bring together the industry which is fractured.
- **Jim Kennedy:** Points out the taxi industry doesn't receive anything from the general fund. Aids are hired at enormous prices.
- **Ann McVeigh:** Average medallion holders are still driving, there are many lies being told up here. Speaks on Heidi Machen.
- **Bill Mouwsey:** Drivers are self-employed and get do not get any benefits from the cab companies. Drivers are intimated and do not want to face discrimination in speaking at the hearings. Feels Heidi Machen and Tristan Bettencourt did a wonderful job. Reinstate Heidi Machen.
- **Tariq Mehmood**: There is a big dispute between medallion holders and drivers. I have prepared a report for the Commission which states a medallion should only be held for fours years.

8. REVISING ADA PROCEDURES TO MAKE SF HEALTH DEPARTMENT RESPONSIBLE FOR GIVING ACCOMMODATIONS[DISCUSSION AND POSSIBLE ACTION]

Commissioner Kwok motions to continue to item till the next meeting. Motion passes 6-0.

AYES: Breslin; Heinicke; Oneto; Kwok; Paek; Benjamin **NOES:** None

ABSENT: Gillespie
RECUSED: None

Discussion ensued, including the following points:

- Vice President Breslin the remaining agenda items. Commissioner Heinicke comments on the late hour and suggests that because the issues are complicated that they be heard at a future hearing.

- Vice President Breslin comments that there is missing information in the packet. If the Commission chooses not to hear this tonight we still have to take public comment and not make any decisions.
- Commissioner Heinicke agrees with Vice President Breslin and wouldn't mind taking a few comments but feels that a decision tonight wouldn't be fair to the issue. Vice President Breslin is handed a list of speakers from the last hearing who already spoke on the item at the July 11th hearing who cannot speak tonight. Reads the list of names. If you speak tonight you will not be able to speak at the next hearing.
- Carl MacMurdo states they were not told they could not speak on the issue. Since staff has twice failed to give the proposal, I would like to give copies to the Commission. Vice President agrees with Mr. MacMurdo that since the material was not in the packets and the item should be continued.
- Vice President Breslin requests speakers to come forth and speak.

PUBLIC COMMENT

- **Robert Cesana:** I would like to see the item continued but we must make sure that the packet is complete.
- **Vice President Breslin:**Thanked the public for providing the missing information
- **Charles Rathborne:**Feels the SF Health Department should be responsible for ADA requests due to privacy issues.
- **Vice President Breslin:**Would like to put a directive to staff that no further medical assessments be made until it goes to the Health Department or the appropriate staff member.
- **City Attorney P. Zarefsky:** Request from Commissioner Breslin may be a Sunshine issue, since the proposal Commissioner Breslin is not on the agenda. I suggest it be an interim until the next meeting when the matter is addressed in a more comprehensive way.
- **Vice President Breslin:**Requests a motion to continue item
- **Commissioner Kwok:** Motions to continue item to next meeting.
- **Vice President Breslin:**All in favor.

9. DISCUSSION ON THE COLOR SCHEME CHANGING DISPATCH SERVICES FROM ONE COMPANY TO ANOTHER. DISCUSSION OF PARKING SPACE AVAILABILITY FOR SHIFT CHANGES. [DISCUSSION AND POSSIBLE ACTION]

Commissioner Kwok motions to continue to item till the next meeting. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Breslin; Heinicke; Oneto; Kwok; Paek; Benjamin **NOES:** None

ABSENT: Gillespie
RECUSED: None

PUBLIC COMMENT: No public comment

ADJOURNMENT

Meeting adjourned at 11:47PM.

Respectfully Submitted,

Jaime Poblitz

Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT, ext. 2
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
8/8/06

August 8, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

DOCUMENTS DEPT.

AUG - 7 2006

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1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Staff Report and Commissioner Announcements [INFORMATION]
4. Public Comment (Please limit public comment to items **not** on the agenda).
5. Consideration of the Minutes for the July 25, 2006 Taxicab Commission Meeting. [ACTION]
6. Consideration of the Consent Calendar. [ACTION]
7. Defining Eligibility for Time Waivers for Medallion Waiting List Applicants. [DISCUSSION AND POSSIBLE ACTION] **Continued from March 14th, 28th & April 11th, 25th.*
8. Implementation of Driving Requirement for Designated Taxi Company Key Personnel [DISCUSSION AND POSSIBLE ACTION]
9. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Desmond U. Aigbuza	Abdel L. M. Al Sadder	Hassan J. Aljabiry
Henok T. Ayele	Aziz Babamuratov	Pawnee Bruno
Victor I. Carion	Fitsum T. Chiffa	Lakhbir S. Dhaliwal
Wadlin R. Drummer	Ryan M. Ely	Durwin S. Eustace
Mohmed A. Fofana	Luciana S. P. Fonseca	Jaspal S. Giri
Desalegne T. Guangul	Ozgun Y. Gundogdu	James T. Hutton
Zuhair J.A. Iriqat	Abdirashid A. Jama	Kenneth D. Johnson
Boris Khlevner	Stanislav Khlevner	Raj Kumar
Albert Kwan	Malvin C. M. Louie	Okechukwu O. Mbanugo
Kyaw Min	Nanda K. Myint	Sinh I. Phung
Omar A. Said	Chetan Singh	Rupinder Singh
Vincent Thai	Abraham Y. Weldeselasie	Walter Weyerman
Volodymyr Yarokha	Maung M. Zaw	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	**Medallion #:**	**Change:**
1. Kwok Man Ho	1053	Fog City Cab to Luxor Cab
2. Carlos J. Arroyo	808	Yellow Cab to Regents Cab

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. Luis Herrada	229	Regents Cab
2. Gary Bellotti	230	Arrow Cab

D. Reconsideration of Time Waiver granted to:

1. Edward Gruzman	6-418

E. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s):	**List #:**
1. Marcellus C. Jackson	6-420
2. John Chou*	6-421

**He was not a full time driver during 2004, 2005 or 2006*

F. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	**List #:**
1. Catherine K. Cheng	6-548
2. Austin Peterson	6-552

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 22, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Color Scheme:
1. Chuck Bun Tong	787	Regents Cab to Worldwide Cab

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. John Gargan	6-380
2. Faramarz Servatjoo	6-428

C. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	List #	Notes:
1. Brian J. Jew	6-346	1 Year Time Waiver Ended 7/12/06

D. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	List #:
1. Michael Farruggia*	6-561
2. John L. Huang	6-562
3. Thomas G. Mehrten	6-564
4. Marian L. Zaouk	6-565
5. Ghanshyam D. Patel	6-567

*Applicant declined Ramp Offer

E. Commission Request to Calendar

Vice President Breslin	Date of Request	Planned Hearing Date
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	
Commissioner Gillespie	**Date of Request**	**Planned Hearing Date**
Management exemption	July 11, 2006	August 8, 2006

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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Taxicab Commission

August 8, 2006

MINUTES

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
August 8, 2006
6:30PM
Regular Meeting

Present: Gillespie; Breslin; Kwok; Benjamin; Paek; Oneto; Heinicke
Absent: none

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8/8/06

PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:36 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz - Taxi Commission, Officer Paul Makaveckas, Cynthia Kulstad - Taxi Detail, Tom Owen- City Attorney

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL - Roll Call showed a quorum was present.

3. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS [INFORMATION]
• Executive Director, Heidi Machen gave an update on the meetings she attended and correspondence received and sent, and offered condolences to friends and family of former San Francisco Supervisor, Sue Bierman, who died on Monday. Also welcomed new Commissioners Benjamin, Oneto, and Heinicke and congratulated new President Gillespie on his election.

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COMMISSIONER ANNOUNCEMENTS:
• President Gillespie would like to adjourn tonight's meeting in memory of Supervisor Bierman. Thanked the Commission for electing him President. Provides tentative schedule for future hearings; August 22nd hearing will focus on the priorities of the Taxi Commission, September 12th hearing will be based on the Controller's report of the meter and gate adjustment, September 26th hearing will be a discussion on the future on types of vehicles primarily focusing on clean fuel taxis, October 10th will be on Paratransit issues. I would like the staff to invite Paratransit Brokers office and members of SF Transportation Authority. December 12th will be our PC&N hearing along with a service discussion. November 14th will be our driver Health and public safety hearing. I would like sufficient public notice on all the upcoming meetings and have staff produce a memo for each theme that reflects the issues. Would like to have the Commissioners act as liaisons to other Boards and Commissions that are of interest, I do expect to announce the assignments at our next hearing.
• Vice President Breslin announces Macy's will be placing a taxi zone in front of the building however it is at the DPT currently. Requests the public to urge DPT to expedite the taxi zone in front of Macy's. Fully

supports President Gillespie's new calendar, and giving the issues the full attention it deserves.

PUBLIC COMMENT:
• Robert Cesana: Congratulates the new President. Feels there should be equal representation on the health care committee and it should be open to the public. Requests all appointments to the Commission comply and go through civil service.
• President Gillespie: Follows up on the health care committee issue. Would like to get the committee in place by the next meeting and issue the report in November at our hearing. You have my word there will be enough representative for both permit holders and taxi companies on that committee.
• Commissioner Heinicke: It is my understanding that is we did have a formal meeting of a committee of this Commission that it's subject to Sunshine rules and open in the same way as a Commission meeting would be.
• President Gillespie: That is my understanding.
• Steven Rimmers: Believes President Gillespie knows where to begin on cab service. Looking forward to the work and issues in the future.
• Jane Bolig: Speaks on Proposition K, feels it is a mess and that no one will ever win.
• Barry Taranto: Welcomes all the Commissioners, thanked Executive Director Machen for attending the DPT meeting on Friday. Discusses the cab stand at Macy's and feels there is no room for a cab stand but the focus should be at the St. Francis which has much more business. Speaks on Sue Bierman and requests to be notified when services will be held.
• Mark Gruberg: Congratulates President Gillespie and welcomes back Director Machen. Raises concern on the Health Care working group resolution that was passed by former President Smith and requests the Commission to reconsider the decision based on if the meeting should be passive body or a policy body due to the timeline proposed.
• Vice President Breslin: Requests the public to submit potential names for the consideration of the task force.
• Thomas George Williams: Congratulates President Gillespie. An important issue is the Controller's report and that enforcement on the gate cap be discussed.
• Peter Witt: Feels drivers in general will never want to raise the meter because it will affect their business. As the rate of inflation increases so does the cost of living. Discusses the taxi stand in front of Macy's. Congratulates Heidi and President Gillespie.
• Bill Mouwsey: Is happy about Heidi returning and Commission Gillespie is President. Does not want to see a meter increase because it will stop people from taking taxis.
• Tariq Mehmood: Welcomes everyone back. Feels the Macy's taxi stand will help drivers. Proposition K should be looked into and fixed.
• Art Lembke: Congratulates President Gillespie; feels if the meter rate is increased he would not like to see a gate increase for awhile.

4. PUBLIC COMMENT
• Jim Gillespie: Welcomes the new Commissioners and congratulates President Gillespie. Speaks on the Controller's report of the meter and gate fee affecting companies and drivers.
• Robert Cesana: Speaks on the taxi meter rates and feels they should be on a regular basis. Gate fees are in dispute and both sides need to be looked into. Gas surcharge may be an issue with British Petroleum shutting down its operations in Alaska.
• Art Lembke: Discusses Proposition K and feels that drivers should be entitled to keeping their medallion or leaving it to a family.

• Steven Rimmers: The Commission needs to concentrate on the service issue and the future of the taxi industry.
• Dan Hinds: Congratulates President Gillespie and apologizes to the Commission for his behavior from the last hearing. Speaks on the Controller's report and the profit ability of the companies which is low, feels the issue should be addressed today.
• Carl MacMurdo: Speaks on the Federal Disablities Act and feels all medical determinations should be made by a medical professional. Feels there needs to be a hearing on the essential eligibility requirement of continuous driving.
• Barry Taranto: Feels that medallion holders should have benefits however the issue is, if it's a privilege or right. Announces the 49ers schedule and the upcoming game on Friday night as well as the Giants AllStar game in 2007.
• Mark Gruberg: Responds to Carl MacMurdo's comments. Addresses the Controller's taxi cab report and how it relates to health care for drivers.
• Michael Spain: Provides handouts from the Bureau of Labor Statistics on rate fares from other major cities. Health care should be made separate and not tied to the issue of rate and gate fees.
• Bill Mouwsey: Feels medallion holders can afford to buy health care. Illegal limousines are the most important issue in the taxi industry. Taxi drivers are not making money at hotels since fares to the airport are given to limousines. Against the meter increase and the gas surcharge should not be permanent but temporary.
• Jackie Sacks: Uses the Paratransit taxi service and is against the fare increase since the public will be unable to afford riding a taxi.
• Peter Witt: Disagrees with the last phone caller that the majority of taxi riders are low income customers. Questions the quality of radio service in the taxi industry.
• Charles Branklen: The element of the cost of living needs to be considered when discussing raising fares. Feels the disregard of taxis by hotel doorman is a problem.
• Unidentified Caller: Thanked the Commission for recognizing former Supervisor Sue Bierman.
• Thomas George-Williams: Speaks on meter and gate fee and discusses his firing from National Cab which was for political reasons. The number of members of UTW will not be disclosed.
• Jim Kennedy: Feels that certain speakers are berating medallion holders. Discusses the issue of health care.
• Unidentified Caller: Supports UTW in the fight for obtaining health care for drivers.
• Blake Derby: Talks about the leasing of his medallion to drivers. Interrupted by an unidentified caller.
• President Gillespie: Requests the public to respect the public comment and states the bridge line will be cut off do to the high volume of callers. Originally the bridge line was set up for people with disabilities if they could not attend the hearing and was not for people sitting at home to call in.
• Tariq Mehmood: Discusses Proposition K and how the system needs to be fixed. Request UTW to disclose the number of members and be fair with the others.
• Commissioner Heinicke: Inquires on the Controller's Report.
• City Attorney Tom Owen: The chair may allow the Commissioner to ask questions but it is not an appropriate time for answers to those questions. Staff may need time to respond.
• Director Machen: Addresses Commissioner Heinicke's questions.
• Commissioner Heinicke: Requests a staff update at the next hearing so we may advise the Board of Supervisors on this matter. Inquires if the

November 1st is the deadline?
• City Attorney Tom Owen: It is the effective date of the Controller's recommendations however Section 11.37 is an ordinance that could be amended to extend that deadline.

5. CONSIDERATION OF THE MINUTES for the July 25, 2006 TAXICAB COMMISSION MEETING [ACTION]
Commissioner Paek motions to approve the minutes. Commissioner Oneto seconded the motion. Motion passes 7-0.

AYES: Gillespie: Breslin; Oneto; Kwok; Paek; Benjamin; Heinicke
NOES: None
ABSENT: None RECUSED: None

PUBLIC COMMENT: No public comment

6. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]
Commissioner Oneto motions to approve the Consent Calendar. Commissioner Paek seconded the motion. Motion passes 7-0.

AYES: Gillespie; Oneto; Kwok; Paek; Benjamin; Heinicke, Breslin
NOES: None
ABSENT: None RECUSED: None

Discussion ensued, including the following points:
• Director Machen introduces Item 6 and advises the Commission that line item D is a reconsideration on a timewaiver which may be affected by a later vote on line Item 7 so the Commission may wish to pull that.
• President Gillespie will take Item D and postpone it till later in the meeting. I will have to recuse myself on Item B2 so we will have to vote separately on that. I have a request from the member of the public to comment on C2 so I will pull that and vote on it separately. I will take public comment on all the items except B2, C2, and D.

PUBLIC COMMENT
• Jim Gillespie: Feels the President of the Commission should not have to recuse himself from Items that are concerned with Yellow Cab.
• President Gillespie: On advice of the City Attorney and to be careful I have to recuse myself but I appreciated your comments Mr. Gillespie.
• Steven Rimmers: Agrees with Mr. Gillespie that all Commissioners should vote on every item.

A. *Approved Public Passenger Vehicle Driver Permit(s):*

Desmond U. Aigbuza	Abdel L. M. Al Sadder	Hassan J. Aljabiry
Henok T. Ayele	Aziz Babamuratov	Pawnee Bruno
Victor I. Carion	Fitsum T. Chiffa	Lakhbir S. Dhaliwal
Wadlin R. Drummer	Ryan M. Ely	Durwin S. Eustace
Mohmed A. Fofana	Luciana S. P. Fonseca	Jaspal S. Giri
Desalegne T. Guangul	Ozgun Y. Gundogdu	James T. Hutton
Zuhair J.A. Iriqat	Abdirashid A. Jama	Kenneth D. Johnson
Boris Khlevner	Stanislav Khlevner	Raj Kumar
Albert Kwan	Malvin C. M. Louie	Okechukwu O. Mbanugo
Kyaw Min	Nanda K. Myint	Sinh I. Phung
Omar A. Said	Chetan Singh	Rupinder Singh
Vincent Thai	Abraham Y. Weldeselasie	Walter Weyerman

Volodymyr Yarokha	Maung M. Zaw

B. *Approved Color Scheme Change to:*

Medallion Holder:	Medallion #:	Change:
1. Kwok Man Ho	1053	Fog City Cab to Luxor Cab

C. *Approved Taxicab/Ramped Taxicab Medallion Holder Permits granted to:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Luis Herrada	229	Regents Cab

E. *Approved list of Applicant Name(s)who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:
1. Marcellus C. Jackson	6-420
2. John Chou*	6-421

**He was not a full time driver during 2004, 2005 or 2006*

F. *Approved list of Applicant Name(s) who are ineligible for a* ***Ramp*** *Taxicab Medallion per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:
1. Catherine K. Cheng	6-548
2. Austin Peterson	6-552

Commissioner Oneto motions to approve Item B2. Commissioner Kwok seconded the motion. Motion passes 6-0.

AYES: Oneto; Kwok; Paek; Benjamin; Heinicke, Breslin NOES: None
ABSENT: None RECUSED: Gillespie

PUBLIC COMMENT: No public comment

B. *Approved Color Scheme Change to:*

2. Carlos J. Arroyo	808	Yellow Cab to Regents Cab

Commissioner Heinicke motions to approve the Item C2. Commissioner Kwok seconded the motion. Motion passes 6-0.

AYES: Gillespie Oneto; Kwok; Paek; Benjamin; Heinicke, Breslin NOES: None
ABSENT: None RECUSED: None

PUBLIC COMMENT
• Barry Taranto: Concerned with the applicant's waybill documents and requests the Commission to continue item for further investigation. He is the mechanic manager at Arrow cab which raises some issues.
• Thomas George Williams: The Commission needs to make sure that this applicant did his driving requirement and requests to continue item.
• Gary Bellotti: I manage the repair facility at Arrow/Speck Cab, I have been in this business for 36 years and have been on the medallion list since 1989. I have put in my four shifts everyday and run my garage for six hours a day.
• President Gillespie: As I understand it our staff has reviewed this application

and there are no questions to the authenticity of the waybills.
• Director Heidi Machen: We were satisfied with the waybills.
• Commissioner Heinicke: You don't feel that anymore time will send you to any different conclusion?
• Director Heidi Machen: We would be happy to do further investigation if you determine it necessary, just to assure you we are not passing every applicant. We have questioned others on their waybills, we were satisfied on these waybills. Gives further details to Commissioner Heinicke on staff procedures.
• Commissioner Kwok: Comments people should not question someone's abilities based on age.
• Commissioner Heinicke: I am in favor of granting Mr. Bellotti's medallion but I want to thank the two speakers who came forward tonight because you are an important part of the industry. I vote to grant this medallion based on staff recommendation.
• Commissioner Kwok: I'll second that.
• President Gillespie: I too want to second that, I urge Barry to continue to work with our staff and take a close a look at applicants.

C. *Approved Taxicab/Ramped Taxicab Medallion Holder Permits granted to:*

2. Gary Bellotti	230	Arrow Cab

7. DEFINING ELIGILBITY FOR TIME WAIVERS FOR MEDALLION WAITING LIST APPLICANTS. [DISCUSSION AND POSSIBLE ACTION]

Commissioner Paek motions approve Resolution #87 defining eligibly for time waivers for medallion waiting list applicants. Commissioner Heinicke seconded the motion. Motion passes 6-1.

AYES: Oneto; Kwok; Paek; Benjamin; Heinicke, Gillespie NOES: Breslin
ABSENT: None RECUSED: None

Discussion ensued, including the following points:
• Director Machen introduces item to the Commission.

PUBLIC COMMENT
• Robert Cesana: It was the PDA that brought this and sponsored this as the Daly Ma legislation. At the time we did not consider applicants who couldn't make the requirements if they were sick or disabled. You have to consider medical reasons in the proposal.
• Barry Taranto: I think the staff wrote a great report on this but there should be a disclosure which shows if staff rejects applicants there can be an appeal process with some sort of fee.
• Steve Rimmers: The list needs to be cleaned up.
• Carl MacMurdo: Gives brief history for the Commissioners on driving requirements for the medallion waiting list. Concerned with older people who have been on the list and those who are disabled who have to keep driving. Urges the Commission to amend the resolution or reject it.
• Art Lembke: Reads Appendix Section C and speaks on Proposition K. Feels the law needs to be changed so it is fair for everyone.
• Mark Gruberg: I urge you to support this technical change and go forward with this tonight. Gives suggestion for the Commission to create guidelines for disability matters.
• Jim Gillespie: Supports Mark Gruberg's comments and the changes that could be made. Gives example of an applicant who was a long time driver who will not make the driving requirement due to medical conditions. Suggests the Commission look into changing the legislation to protect people with medical

issues.
• Mike Spain: Speaks on Proposition K and the issues relating to changing the legislation.
• Tariq Mehmood: The resolution is quit simple with the two year requirement. The driving requirement is important and no one should carry a passenger if they are not healthy. Urges the Commission to pass legislation.
• Bill Mouwsey: Follows the rules and knows what is required of him when he receives his medallion. The extended driving requirement is important because it makes taxi drivers better drivers.

Discussion ensued, including the following points:
• Commissioner Kwok agrees with the resolution and encourages the new Commissioners to ask questions if they need to on this issue.
• Vice President Breslin notes that Proposition K will be reviewed on October 24th and feels the resolution is part of that discussion. Requests Commission to continue item till October 24th.
• Commissioner Benjamin explains the resolution could be changed later with an adjustment to Prop K. Why offer a waiver if it will not do any good in the first place. It is a good resolution in that respect.
• Commissioner Heinicke feels the rule is good and the law needs to administered as it stands today. I would favor to adopt this with full respect to Commissioner Breslin that if we change smaller details down the road.
• Commissioner Paek notes the resolution is very clear and has been continued many times. The Commission needs to move on this issue to see results. Do we have a motion already unless other Commissioners wish to speak.
• President Gillespie agrees with other Commissioners, supports to adopt the resolution.
• Vice President Breslin states that one year could make a difference.

6. CONSIDERATION OF THE CONSENT CALENDAR [ITEM D CONTINUED]

Discussion ensued, including the following points:
• President Gillespie requests the Director to take up Item D that was continued earlier in the meeting. Inquires if the Commission would like to vote on this tonight or continue this till next the hearing.
• Commissioner Kwok suggests it is continued till next meeting. President Gillespie asks staff to put it on the next agenda with an explanatory memo as to how it relates to his specific case and the action we took tonight.
• Vice President Breslin requests that the first year time waiver not be considered since it was before the rule was passed.

D. *Continued till August 22nd for Reconsideration of Time Waiver for:*

1. Edward Gruzman	6-418

8. IMPLEMENTION OF DRIVING REQUIREMENT FOR DESIGNATED TAXI COMPANY KEY PERSONNEL [DISCUSSION AND POSSIBLE ACTION]

• President Gillespie asks to hear Item 8. I wanted to have this on the first agenda so that we can make sure that everybody who is going to be affected will know what the requirements are. Director Machen introduces item to the Commission.
• Commissioner Heinicke asks how many people in the industry would be affected. Director Machen responds up to nine personnel from the largest taxi company which is Yellow, under 50 total.

PUBLIC COMMENT
• Robert Cesana: Look at the date at the original resolution you made in 2004, but you aren't going to implement until next year.
• City Attorney Tom Owen: Legislation takes affect January 1, 2007 and the Commission can do nothing to change that.
• Mark Gruberg: This legislation was agreed upon all the organized sectors of the taxi industry including the permit holders association.
• Steve Rimmers: You will need more taxi people in companies. I hope you use the Mayor's signed legislation as a guideline on how to deal with managers in this field.
• Mike Spain: Doesn't understand why the Board didn't implement the legislation on the day it was passed. Gives history of issue to the new Commissioners.
• Jim Gillespie: Suggests legislation to include that medallion holders are able to drive other medallions.
• Ruach Graffis: We think the management exemption is very fair, we do feel it's important for medallion holders to drive the cab.
• Art Lembke: Believes that medallion holders should be able to drive other cabs. I do not think any of the managers should be in trouble for the past for not driving because of the verbal agreement with the Taxi Commission.
• Tariq Mehmood: Speaks on the management exemption and feels the 120 hours is a great allowance for the managers.

Discussion ensued, including the following points:
• President Gillespie explains that the Commission does not have to take any action on this item. In the next three months we want to have everything in place and make sure the companies are aware of procedures.
• Vice President Breslin requests that until the legislation is implemented on Jan. 1, 2007 there is a moratorium on revocation of management medallions.
• City Attorney Tom Owen explains that can be an item to a future calendar but the idea is not within the current agenda item. I cannot suggest language but it is appropriate for future consideration.
• Vice President Breslin instead of calling for a moratorium I might ask this Commission to continue with the understanding that we have had for years. City Attorney Tom Owen again notes it is separate item.

9. ADJOURNMENT
• President Gillespie requests to adjourn meeting with a moment of silence in the memory of Sue Bierman.

Meeting adjourned at 9:31PM.
Respectfully Submitted,

Jaime Poblitz
Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT, ext. 2
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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8/22/06

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August 22, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Public Comment (Please limit public comment to items **not** on the agenda).
4. Consideration of the Minutes for the August 8, 2006 Taxicab Commission Meeting. [ACTION]
5. Consideration of the Consent Calendar. [ACTION]
6. Setting Goals and Objectives for the Taxi Commission [DISCUSSION & POSSIBLE ACTION]
7. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Khosrow Ansarinia	Ramis Bagirov	Guillaume Bile
John L. Capadanno	Edmund B. C. Chu	Edwin S. Covey
Troy S. Danielsen	Gizachew G. Degfe	Solomon L. Desta
Heffie S. Flowers	Anthony L. Garner	Bhupendra Gurung
Ali Mohamed Hassan	Ayele Hiriboro	Shon K. Kyu
Leon Trung Le	Selma Lemos	Kamran Mogharabi
Ayub Muhammad	John P. Nachtsheim	Ahmedin M. Nasser
Fernando Paez Jr.	Larry D. Printers	Hosam F. Saeed
Zohaib M. Shaikh	Olufemi O. Sole	Ranulto C. Teixeira
Thet Win	Robert T. K. Wong	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	**Medallion #:**	**Change:**
1. Chuck Bun Tong	787	Regents Cab to Worldwide Cab

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. John Gargan	236	Luxor Cab
2. Faramarz Servatjoo	240	Yellow Cab

D. Reconsideration of Time Waiver granted to:

1. Edward Gruzman*	6-418

**Continued from August 8th Hearing*

E. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s):	**List #:**	**Notes:**
1. Brian J. Jew	6-346	1 Year Time Waiver Ended 7/12/06

F. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	**List #:**
1. Michael Farruggia*	6-561
2. John L. Huang	6-562
3. Thomas G. Mehrten	6-564
4. Marian L. Zaouk	6-565
5. Ghanshyam D. Patel	6-567

*Applicant declined Ramp Offer

G. Consideration of Final Decision by Executive Director Regarding Recommendation submitted by the Taxi Commission Hearing Officer:

Applicant Name(s)	**Violations**	**Penalty**
1. Cuong Tran	5B6, 5B7, 5H10, 5H15, 5I4	Fine $250 and 18 months probation
2. Bruie Anton	4C1, 4C2, 4A9, 4A12, Sec. 1081	Fine $225

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the September 12, 2006 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Color Scheme:
1. Kent Ying Wah Lan	465	Royal Cab to Regents Cab
2. Ali Bastani	769	Luxor to Yellow Cab
3. Khalil Jaser	1181	Yellow to Veterans Cab

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. Paul Harting	6-424
2. Eloy George Alanya	6-427
3. Eugene Shu	6-426

C. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	List #	Notes
1. An L. Chan	6-362	Per Resolution No. 2006-87
2. Darren Jew	6-347	1 Year Time Waiver ended 08/09/06

D. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	List #:
1. Ricci Sims	6-422
2. Kathleen K. Hughes	6-572
3. Richard Healy	6-556
4. Dev R. Narewatt	6-568
5. Parminder Singh	6-571
6. Larry Sager	6-573
7. Kevin L. Nguyen	6-574

E. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	Luxor Taxi
Medallion #'s:	146, 284, 314, 333, 655, 781, 794, 1039, 1014, 1193
Duration of Campaign:	September 25 – October 1, 2006
Advertiser:	Gilead Sciences Inc. – Clear Channel

F. Consideration of the Taxi Commission to extend Time Waiver to:

Medallion Applicant Name:	List #:
1. Ciro Matarazzo*	6-011

**Applicant is currently on a second Time Waiver*

G. Commission Request to Calendar

President Gillespie	Date of Request	Planned Hearing Date
Settings Goals & Objectives for the Taxi Commission	August 8, 2006	August 22, 2006
Hearing based on the Controller's report of the meter and gate fee adjustment.	August 8, 2006	September 12, 2006
Discussion on the future of types of vehicles primarily focusing on clean fuel taxis.	August 8, 2006	September 26, 2006
Paratransit Issues	August 8, 2006	October 24, 2006

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Driver Health and Public Safety Hearing	August 8, 2006	November 14, 2006
PC & N Hearing and Service Hearing	August 8, 2006	December 12, 2006
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	November 14, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	September 12, 2006
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by contacting the Taxi Commission 24 hours prior to the meeting by calling (415) 503-2180. The bridgeline can be accessed by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or bye-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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SAN FRANCISCO TAXI COMMISSION & PRESIDENT PAUL GILLESPIE

INVITES THE PUBLIC TO SPEAK AT

SETTING GOALS & OBJECTIVES FOR THE TAXI COMMISSION 2006-2007

WHEN: August 22, 2006

TIME: 6:30 p.m.

WHERE: City Hall Room 400
1 Dr. Carlton B. Goodlett Place

SUGGESTIONS & IDEAS ARE WELCOME, PLEASE COME AND LET YOUR VOICE BE HEARD!

Please contact Jaime Poblitz at 415-503-2185 or Jaime.poblitz@sfgov.org for further information.
If you are unable to attend please send comments to sftaxi.commission@sfgov.org by August 21st.

Taxicab Commission

August 22, 2006

MINUTES

Commission Chambers - Room 400
City Hall,1 Dr. Carlton B. Goodlett Place
August 22, 2006
6:30PM
Regular Meeting

Present: Gillespie; Breslin; Kwok; Benjamin; Paek; Oneto; Heinicke
Absent: none

PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:35 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz - Taxi Commission, Officer Paul Makaveckas- Taxi Detail, Tom Owen- City Attorney

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1. **ROLL CALL - Roll Call showed a quorum was present.**

2. **STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS**
[INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent.

COMMISSIONER ANNOUNCEMENTS:

- President Gillespieannounced he will be on the Health Care Working Group sub-committee along with Commissioner Oneto and Commissioner Heinicke to appoint five voting members. We will be announcing the times we meet at a future date.
- Vice President Breslin thanked the Executive Director for pursuing the Macy's taxi zone.
- Commissioner Heinicke visited Dan Hinds and Jane Bolig at National and thanked them for their hospitality. Expressed concerned on the issue of illegal limousines and fares being diverted away from cab drivers to limos. Requests background information from the City Attorney and the Executive Director on the laws regulating limousines. Director Machen gives brief background on the issue and gives example of the City of Los Angeles which prohibits gratuity. City Attorney explains that Los Angeles is in the process of considering prohibition but it has not been adopted yet. City Attorney will look into more information on behalf of Commissioner Heinicke's request.
- Commissioner Paek feels the Commission should really open up ideas and topics of the Commission to members of the public.
- Commissioner Breslin follows up on Commissioner Heinicke's questions; feels the issue of graft concerns taxis as well. There is a

prohibition of gratuity for directing cabs/limos to the airport which is hotel policy.

- Commissioner Heinicke inquires about what City Department oversees the cab stand at AT&T Park and what is the Taxi Commission function regarding stands. Director Machen gives procedures on working with Department of Parking & Traffic in obtaining stands. President Gillespie gives background to Commissioner Heinicke on the cab stands at AT&T Park .

PUBLIC COMMENT:

- **Barry Taranto:** Offers to meet with Commissioner Heinicke on the cab stands at AT&T Park and how to better improve the service there. Feels the cab stand at Macy's will not be enforced and not used enough. Speaks on issue of illegal limousines.
- **Steven Rimmers:**Process of obtaining cabs stands needs to be looked at. The cab stand at the ball park does not serve the public well.
- **Jane Bolig:**Thanked Commissioner Heinicke for visiting National Cab Company. Encourages the Commissioners to learn more about the industry and other stakeholders in the industry and welcomes the other Commissioners to visit.
- **Bruce Oka:**A ramp taxi user and member of the Paratransit Coordinating Council; speaks on the need for more taxi stands at AT&T Park. Would like to have a convenient way to get to the ballpark and not be dropped off three blocks away.
- **Robert Cesana:** Encouraged by the new Commissioners talking about getting more taxi stands.
- **Bill Mouwsey:** The limousine issue is the most important issue affecting the industry. Taxi drivers are paying doorman to get fares.
- **Anne McVeigh:** Feels there needs to be more taxi stands at De Young Museum and the ballpark.
- **President Gillespie:**A letter has been sent requesting that a cab stand be set up at De Young and that cabs be able to circle within the park.
- **John Nakis:** Feels limos need to be monitored in and out of the airport to see how much they are taking from the city and cab drivers.
- **Tariq Mehmood:** Smaller cab companies have arrangements with the hotels and pay eight dollars to the doorman. More enforcement is needed at the white zones.
- **Ruach Graffis:** Issue is important to cab drivers and the UTW has worked closely with other city agencies on getting more stands. Macy's stand is used by many drivers and is a useful cab stand for day drivers. Assemblyman Mark Leno authored a bill in Sacramento that increased the penalties for illegal limo operation but the definition of prearrangement was left undefined.
- **Murai:** Speaks on the issue of illegal limousines and how hotel doorman are promoting limos to customers and the need for more stands at AT&T Park.

- **Commissioner Benjamin:** I think dropping people off at 2nd street will be better but we should develop at cab stand all along King St. since it is blocked by DPT. It would attract people and would be more convenient to get in. Cabs can be ushered out or turn left on 2nd or continue down towards Fisherman's Wharf.
- **Commission Heinicke:** Encouraged by all the comments and looks forward to working on these issues.

3. **PUBLIC COMMENT**

- **Tesefya Chuffa:**Discusses personal case to the Commission and would like the matter to be looked over.
- **President Gillespie:**Explains that he has asked for a timeline on his case and requests that Mr. Chuffa not call the Taxi Commission staff. We will have an answer in the next couple of hearings.
- **Bill Mouswey:**Discusses ramp taxis and feels they are a huge fraud.
- **Commissioner Benjamin:**Feels there should be hearing on how ramp taxis operate and a discussion to allow a limited number of ramp taxis to operate at the airport.
- **Nathan Dwiri:**Provides handouts to the Commissioners on the volume of advertising in the Yellow pages promoting limousine and airport services.
- **President Gillespie:** Because you have done more work I want to allow you to finish. If it is brief I will allow you to finish.
- **Nathan Dwiri:** Explains that taxi drivers who dress better get more fares based on a study done in 1984.
- **Jim Gillespie:** Speaks on meter and gate increases in reference to the Controller's report. Encourages the Commission to go to the companies and look at the operations and consider an increase in the gate.
- **Barry Taranto:** Requests reports from staff that gives a company listing of ramp pick ups and to pass a resolution for Chief Fong to increase staff at the detail. Announces the Lovefest on Sept. 23rd and the Folsom St. Fair on the 24th; would like cab stands for the busy weekend.
- **Robert Cesana:** Feels other departments in the city overlook the taxi industry and feels a need for better retention of the existing drivers
- **Anne McVeigh:** Requests speaking time be increased to 3 minutes. A permit holder representative is needed on the Commission. Speaks on Executive Director Heidi Machen.
- **Emile Lawrence:** Discusses how companies are pushing to raise gates on drivers. Suggests the Commission hire an outside auditing firm to find out what the profit is from a company vs. what a driver makes.
- **Bruce Oka:** Feels the debit card program is seven years overdue and the Commission needs to act on the issue as soon as possible.
- **Murai:** Supports the closing of Laguna St. and the opening of

Octavia St. Feels the medallion list is moving fast and supports those who get on the list.

- **Dave Schneider:** Announces the passing of Rose Resnick. Suggests having on the road inspections of cabs over 100,000 miles and an independent centralized dispatch system.
- **Mark Gruberg:** Notes from the Taxi Industry Report that 16 out of 34 companies provided financial information. It is required by law that companies disclose this information, feels the Commission should take a harsher attitude towards this.
- **Michael Spain:** Limousines have grown in number and the Commission should regulate them. Industry is divided into three groups; the drivers, the owners, and the companies which all deserve to have a rate increase.
- **John Nakis:** Congratulates President Gillespie and requests the Commission to increase the members to include a Pre-K and Post-K representative.
- **Steven Rimmers:** Reminds the Commission to consulate the companies on issues.
- **Zohaib Shaikh:** Is a 21 yr driver who drove 2 days and was fired because of his age. Why did they give me the license and now I can't get hired by any company. Why can I obtain an A-card at 21, but can't get hired by a company until age 25?
- **Jane Bolig:**Our company minimum age is 23 yr. old; every company has its' own insurance policy. Offers to help Mr. Shaikh.
- **President Gillespie:**Doesn't have an answer for Mr. Shaikh but suggests he will try to get an answer for him.
- **Commissioner Kwok:**Comments on the issue of the debit card program raised by Mr. Oka.
- **Tariq Mehmood:** The citizens of San Francisco will be paying for the meter and gate increase price but feels it should be decreased for the citizens. Drivers have no benefits and cabs are not in good condition so how do they expect drivers to dress up.
- **Jane Bolig:** If you support Prop. K this is what you are for; reads Section 1 paragraph C, & D. We don't want what Prop. K mandates, and that is free enterprise. So if we are not in favor of Prop.K when are we going to stop violating the law and change it?

4. CONSIDERATION OF THE MINUTES for the August 8, 2006 TAXICAB COMMISSION MEETING [ACTION]

Commissioner Paek motions to approve the minutes. Commissioner Heinicke seconded the motion. Motion passes 7-0.

AYES: Gillespie: Breslin; Oneto; Kwok; Paek; Benjamin; Heinicke
NOES: None
ABSENT: None **RECUSED:** None

PUBLIC COMMENT: No public comment

5. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]

Commissioner Heinicke motions to approve Items A, B, E, & F on the

Consent Calendar. Commissioner Paek seconded the motion. Motion passes 7-0.

AYES: Gillespie; Oneto; Kwok; Paek; Benjamin; Heinicke, Breslin
NOES: None
ABSENT: None **RECUSED:** None

Discussion ensued, including the following points:

- Commissioner Benjamin inquires if he should recuse himself on items concerning Luxor Cab. President Gillespie gives personal opinion that it is your decision to make but it's better to be safe than sorry. City Attorney Owen suggests meeting with Commissioner Benjamin to discuss. Commissioner Benjamin recuses himself on Item C1. President Gillespie recuses himself on Item C2.
- Executive Director points out Item D that was continued from the last hearing. President Gillespie severs Item D and Item G. Opens Public Comment on all Items on the Consent Calendar.

PUBLIC COMMENT

- **Barry Taranto:** Comments on Item D, and doesn't understand why the Commission would grant him a timewaiver if he promised before he was going to drive and he still hasn't. Urges the Commission not to grant timewaiver. Comments on Item G and inquires if penalties are against Mr. Anton or Regents cab, feels there are discrepancies.
- **Mark Gruberg:** Troubled on the Cuong Tran disciplinary violation, feels a revocation of the medallion would be appropriate rather than a small fine.
- **Carl MacMurdo:** Requests the Commission website be updated and made more user friendly on disciplinary hearings. Would like the minutes to be placed on the web as well as more details on the agenda.
- **Tariq Mehmood:** Speaks on Item A and suggests letters of intent should indicate that the companies are fully responsible. Would like the Commission to look into the amount of drivers who are not getting jobs.

A. *Approved Public Passenger Vehicle Driver Permit(s):*

Khosrow Ansarinia	Ramis Bagirov	Guillaume Bile
John L. Capadanno	Edmund B. C. Chu	Edwin S. Covey
Troy S. Danielsen	Gizachew G. Degfe	Solomon L. Desta
Heffie S. Flowers	Anthony L. Garner	Bhupendra Gurung
Ali Mohamed Hassan	Ayele Hiriboro	Shon K. Kyu
Leon Trung Le	Selma Lemos	Kamran Mogharabi
Ayub Muhammad	John P. Nachtsheim	Ahmedin M. Nasser
Fernando Paez Jr.	Larry D. Printers	Hosam F. Saeed
Zohaib M. Shaikh	Olufemi O. Sole	Ranulto C. Teixeira
Thet Win	Robert T. K. Wong	

B. *Approved Color Scheme Change to:*

Medallion Holder:	Medallion #:	Change:
1. Chuck Bun Tong	787	Regents Cab to Worldwide Cab

E. *Approved list of Applicant Name(s)who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:	Notes:
1. Brian J. Jew	6-346	1 Year Time Waiver Ended 7/12/06

F. *Approved list of Applicant Name(s) who are ineligible for a* ***Ramp*** *Taxicab Medallion per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:
1. Michael Farruggia*	6-561
2. John L. Huang	6-562
3. Thomas G. Mehrten	6-564
4. Marian L. Zaouk	6-565
5. Ghanshyam D. Patel	6-567

*Applicant declined Ramp Offer

Commissioner Heinicke motions to approve Item C1. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Oneto; Kwok; Paek; Gillespie; Heinicke, Breslin **NOES:** None
ABSENT: None **RECUSED:** Benjamin

C. Approved Taxicab/Ramped Taxicab Medallion Holder Permits granted to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. John Gargan	236	Luxor Cab

Commissioner Heinicke motions to approve Item C2. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Oneto; Kwok; Paek; Benjamin; Heinicke, Breslin **NOES:** None
ABSENT: None **RECUSED:** Gillespie

C. Approved Taxicab/Ramped Taxicab Medallion Holder Permits granted to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
2. Faramarz Servatjoo	240	Yellow Cab

Discussion ensued, including the following points:

- President Gillespie and fellow Commissioners congratulated Mr. Gargan and Mr. Servatjoo.
- Commissioner Heinicke refers to Director Machen's memo which addresses Mr. Taranto's point on not to grant the time waiver. If we were to grant this timewaiver we would be undoing the policy we put in. President Gillespie inquires on what the Commission is being asked.
- City Attorney Tom Owen explains to the Commission that due to new information this would disqualify the applicant. The

appropriate motion would be to revoke or affirm the time waiver.

- Director Machen gives explanation on the timewaiver resolutions.
- Commissioner Breslin states the resolutions passed were after he was granted the timewaiver. The first timewaiver he received was prior to the Commission ever passing any regulations on timewaivers. I don't know why it is up here for consideration.
- City Attorney Tom Owen explains those are legitimate policy arguments for the Commission to consider however the applicant did not require any vested rights to a timewaiver at any point. Ed Gruzman is called to speak to the Commission.
- Edward Gruzman thanked Commissioner Breslin for her arguments which he agrees with. You cannot remove my waiver based on laws that were passed after my request. President Gillespie asks if he is a cab driver. Ed Gruzman replies no and has not been since 2004. President Gillespie explains it is not physical possible to qualify for a medallion. Edward Gruzman explains he originally was a cab driver but due do medical conditions he didn't put any effort to making the requirement.
- Commissioner Kwok asks Mr. Gruzman if he was working the two years he wasn't driving a cab. Yes I was working, replies Mr. Gruzman.
- Commissioner Breslin feels the applicant has the right to exhaust all his possibilities as they were given to him before there were regulations.
- President Gillespie requests a motion.

D. *Reconsideration of Time Waiver for:*

1. Edward Gruzman	6-418

Commissioner Breslin motions to affirm the timewaiver granted to Edward Gruzman. Commissioner Benjamin seconded the motion. Motion fails 6-1.

AYES: Breslin **NOES:** Benjamin, Kwok, Gillespie, Heinicke, Paek, Oneto
ABSENT: None **RECUSED:** None

Commissioner Heinicke motions to revoke the timewaiver granted to Edward Gruzman. Commissioner Paek seconded the motion. Motion passes 6-1.

AYES: Benjamin, Kwok, Gillespie, Heinicke, Paek, Oneto **NOES:** Breslin
ABSENT: None **RECUSED:** None

Discussion ensued, including the following points:

- President Gillespie requests to hear Item G.
- Director Machen reads violations on applicants for Item G.
- Commissioner Heinicke inquires on the violations listed on the consent calendar to each applicant, points out that the violations have been reversed. Director Machen apologizes on behalf of staff for the typo error.

- City Attorney Tom Owen recommends this item be continued till the next meeting and noticed with the correct violations.
- Commissioner Heinicke inquires on procedures on disciplinary cases. Director Machen responds and explains the steps to Commissioner Heinicke. City Tom Owen gives brief summary on displinary matters and will provide the new Commissioner with a memo.

G. Continued till September 12th Final Decision by Executive Director Regarding Recommendation submitted by the Taxi Commission Hearing Officer:

Applicant Name(s)	Violations	Penalty
1. Cuong Tran	5B6, 5B7, 5H10, 5H15, 5I4	Fine $250 and 18 months probation
2. Bruie Anton	4C1, 4C2, 4A9, 4A12, Sec. 1081	Fine $225

6. SETTING GOAL AND OBEJECTIVES FOR THE TAXI COMMISSION. [DISCUSSION AND POSSIBLE ACTION]

Discussion ensued, including the following points:

- Director Machen introduces item to the Commission. Commends staff member Jaime Poblitz for the outreach that she performed.
- President Gillespie explains this is a open ended hearing and was intended to reach out to people to get advice on what we should be doing as a new Commission. Welcomes the public to speak. Commends the United Taxicab Workers letter for the work they did and the great ideas given.

PUBLIC COMMENT

- **Carl MacMurdo:** Feels cost should be decreased for brand new drivers. More sufficient radio dispatch systems, enforcement should be made on the Mark Leno law on illegal limousines. Revamping the ramp taxi program is a high priority, and I do think you should adopt the Goldman School recommendation on buying and selling medallions. Health benefits that are provided by the city to the residents of San Francisco should include a portion of money that is allocated to the Dept. of Public Health to include cab drivers.
- **Emilie Lawrence:** The Commission should be concerned with how to make sure a taxi driver who leases a cab makes a minimum of $14.00 an hour to keep up with any living cost in the city without jeopardizing the taxicab companies but how to bring the system in line. Suggests medallion issuance should be looked into as well as the daily lease.
- **Dan Hinds:**Thanked the Commissioners for devoting their time and effort they are making. Believes the Commission should be focusing on safe, reliable, and affordable transportation in a quality vehicle. Hybrid and clean air vehicles should be a priority and the Board of Supervisors should be a legislative

authority to oversee the industry.

- **President Gillespie:**As an owner, what kind of things are you talking about to promote hybrid vehicles.
- **Dan Hinds:**The companies should be given an incentive way beyond the gate cap because drivers who drive hybrids will make a savings on fuel so a part of that can be deferred back to the companies. Provides additional ideas on incentives for hybrids.
- **Robert Cesana:**The city needs better cabs and more incentives should be given for hybrid vehicles. Stop subsidizing this city, the taxi industry subsidizes the city. Feels cabs should not be in the normal lane on the bay bridge.
- **Mark Gruberg:** Speak on behalf of UTW and gives ideas for improving industry regulations and conditions for taxi drivers. Driver health care should be a priority, as well as disability and retirement. Enforce the gate cap, ensure that drivers are covered under workers compensation, illegal cab company charges and practices should be looked into to. Enforcement of the driving requirement for the permit holders, cheating has gone underground waybills are being falsified. Enforce Prop K corporate permit provisions, suggests a taxi driver bill of rights which would describe what a cab driver should expect in terms of job conditions.
- **Commissioner Heinicke:**Inquires on what a brand new driver makes an hour?
- **Mark Gruberg:**I would be guessing but anywhere from $8-10 dollars an hour or close to minimum wage. You would have to consider a new driver would be driving an undesirable shift. No study has been done in relation to new drivers. But these numbers can be looked at through the meter.
- **Ruach Graffis:** Presents the other half of the UTW's presentation. Improve dispatch operations, increase the number of clean air vehicles and allow economic incentives for compliance, work with DPT to allow more left turns and special exemption for taxi drivers. Improve Paratransit operations, work with the Taxi Commission and expedite the debit card program. Increase vehicle inspections and spot checks, increase driving training, and integrate taxis with public transportation.
- **Steve Rimmers:** Yellow cab is already using the debt card program. Concentrate on having the correct environment in which we can work at.
- **Nathan Dwiri:** The Taxi Industry needs to get creative and have more incentives to improve the industry.
- **Michael Spain:** Agrees with the last speakers, feels the Commission has a limited ability to make changes within the cab industry that ability comes in the rates of gates and the number of cabs in SF. We need a $2.00 charge for certain geographic zones that are outside of the core. Look at the gate fee to get more clean air vehicles.
- **Bill Mouswey:** I think this is a wonderful Commission and I'm glad Heidi is back and things will be done. No meter increases,

does not agree with buying and selling of medallions the list is the only way to go to ensuring long term experienced drivers.

- **Murai:**Speaks on behalf of the thousands of drivers and the ones on the K list. Medallion holders are the gateway to good will and should not be demonized.
- **Jim Gillespie:** Agrees with Mr. Spain's comments to have a $2.00 surcharge for outer areas such as Richmond and Sunset Districts. Feels the Commissioners need to visit the companies during the week to better incorporate the operations.
- **Jane Bolig:**Comments on unregulated limousines, the conflict between City and Federal agencies regarding ADA, and the need for a centralized dispatch system.
- **Tariq Mehmood:** More drivers should come and participate and not the same people every meeting. Medallions should not be given for life and the Commission should change the system in obtaining a medallion as well.

Discussion ensued, including the following points:

- President Gillespie thanked the public and fellow Commissioners who came forth with ideas and hopes that many of the issues will be dealt with in the next hearings coming up.
- Commissioner Breslin feels that the industry is not made up of three groups but four including the public. Reads letter from customer regarding good service. I want to make this the year of service, safety, and availability. I want the industry to get back to basics so people will want to write great notes like that. I have certain issues regarding Prop. K and would love to see that resolved, I would like to see an exit strategy for medallion holders that get too old to driver. The concerns from the hotel and restaurant industry are fleet cleanliness, vehicle appearance, clean interior, and driver appreciation, knowledge of the area, unprofessional attire, and long wait times on Friday and Saturday dinner periods. Feels there should be no refusal to convey short trips in the city, safety should be focused on as well as taxi stands. Lastly, I think there needs to more availability and access within the city limits. We need to restructure shift changes so that all companies are not doing it at the same time. I would like to see somebody perhaps our Executive Director have a seat on the transportation authority. Would like to have the public bill of rights before we have a driver bill of rights.
- Commissioner Kwok I agree, a lot of good ideas have been spoken tonight. Availability, service, safety, and technology are major issues that the Commission should focus on.
- Commissioner Heinicke feels the consumer advocacy role falls to the Commissioners so I view the issues facing the Commission at two levels, one I don't think we should shy away from an effort to better understand the Prop. K system. Provide a more efficient service and I would urge our Commissioners and the public in the audience is to listen to our customers. The single biggest complaint that I hear is availability and I think a surcharge or ways to increase service to the neighborhoods are welcomed suggestions.

- President Gillespie announced the annual taxi blessing for the fleet which is on August 31st at St. Boniface Church on Golden Gate @ 12:00 p.m. Thanked Nathan Dwiri for reminding him about the blessing and the passing of Charles Brown on July 31st. Reads a letter from a customer written about Mr. Brown commending him for his outstanding service.

7. ADJOURNMENT

- President Gillespie requests to adjourn meeting with a moment of silence in the memory of Rose Resnick and Charles Brown.

Meeting adjourned at 9:49PM.
Respectfully Submitted,

Jaime Poblitz
Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
9/12/06

September 12, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call

2. Staff Report and Commissioner Announcements [INFORMATION]

3. Public Comment (Please limit public comment to items **not** on the agenda).

4. Consideration of the Minutes for the August 22, 2006 Taxicab Commission Meeting. [ACTION]

5. Consideration of the Consent Calendar. [ACTION]

6. Discussion of the Taxicab Industry Report on Rates of Fares & Gate Fees by the Controller's Office [DISCUSSION & POSSIBLE ACTION]

7. Resolution Urging the Board of Supervisors to Amend the San Francisco Business and Tax Regulations Code by adding Section 76.5, to set a April 30 cutoff for annual renewal of a motor vehicle for hire drivers permits. [INFORMATION & POSSIBLE ACTION]

   [The President of the Commission anticipates recessing the regular Commission meeting at this point and convening the special meeting of the Subcommittee for Nominations to the Taxi Driver Health Care Implementation Plan working group, separately noticed for the same general time and same location as the Commission meeting. The President will then re-convene the regular Commission meeting.]

8. Consideration and possible adoption of recommendations of the Subcommittee for Nominations for five (5) voting members of the Taxi Driver Health Care Implementation Plan working group. [DISCUSSION AND POSSIBLE ACTION]

9. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Adenugba A. Aderele	Yahya S. Alwan	Hussein Azimirod
Methson L. Berhane	Daniel M. Berhe	Christopher A. Black
Khuderbaatar Bud	Richard Y. Chin	Elmi F. Dayran
Abdalmuhsin E. Emubarak	Kevin T. K. Fong	Jose R. B. Frazao Jr.
Padam Giri	Robert J. Goldstone	Gebrezgi G. Hagos
Yohannes R. Hailemariam	Eddy Hsueh	Sendeku M. Kassie
Faisal Khan	Abdulghaffar E. Khogali	Myung S. Kim
Christopher K. Marsh	Celeste L. McCarty	M. Hamed K. Medjadji
Matthias H. Naderi	Asam M. Noman	Antaeus D. Schumpert
Dmitriy Shikhvarg	Hafizul H. Skandari	T. Lawrence Smith
Kesar B. Thapa	Gary P. Vo	

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. Kent Ying Wah Lan	465	Royal Cab to Regents Cab
2. Ali Bastani	769	Luxor to Yellow Cab
3. Khalil Jaser*	1181	Yellow to Veterans Cab

Request Withdrawn

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Paul Harting	248	Yellow Cab
2. Eloy George Alanya	249	Arrow Cab
3. Eugene Shu	275	Union Cab

D. Consideration of the Taxi Commission to extend Time Waiver:

Medallion Applicant Name:	List #:	Notes:
1. Ciro Matarazzo*	6-011	Time waiver was granted 08/23/2005 - 08/23/2006

**Applicant is currently on a second Time Waiver*

E. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s):	List #:	Notes:
1. An L. Chan	6-362	Per Resolution No. 2006-87
2. Darren Jew	6-347	1 Year Time Waiver ended 08/09/06
3. Ricci Sims	6-422	

F. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	List #:
1. Kathleen K. Hughes	6-572
2. Richard Healy	6-556
3. Dev R. Narewatt	6-568
4. Parminder Singh	6-571
5. Larry Sager	6-573
6. Kevin L. Nguyen	6-574

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G. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	Luxor Taxi
Medallion #'s:	146, 284, 314, 333, 655, 781, 794, 1039, 1014, 1193 117, 118, 126, 127, 142
Duration of Campaign:	September 25 – October 1, 2006
Advertiser:	Gilead Sciences Inc. – Clear Channel

H. Consideration of Final Decision by Executive Director Regarding Recommendation submitted by the Taxi Commission Hearing Officer:

Applicant Name(s)	Violations	Penalty
1. Cuong Tran	4C1, 4C2, 4A9, 4A12, Sec. 1081	Fine $250 and 18 months probation
2. Bruie Anton	5B6, 5B7, 5H10, 5H15, 5I4	Fine $225

**Continued from August 22, 2006 due to clerical error on agenda.*

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the September 26, 2006 hearing.

A. Consideration of the Taxi Commission to grant a **New** Color Scheme to:

Medallion Holder:	Medallion #:	New Color Scheme:
Alec Kaplan	9062	Grasshopper Taxicab Company

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. John O. Avery	6-425

C. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	List #
1. Edward Gruzman	6-418
2. Ronald Reissberg	6-057

D. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	List #:
1. David Reyes	6-557

E. Commission Request to Calendar

President Gillespie	Date of Request	Planned Hearing Date
Hearing based on the Controller's report of the meter and gate fee adjustment.	August 8, 2006	September 12, 2006
Discussion on the future of types of vehicles primarily focusing on clean fuel taxis.	August 8, 2006	September 26, 2006
Paratransit Issues	August 8, 2006	October 24, 2006
Driver Health and Public Safety Hearing	August 8, 2006	November 14, 2006
PC & N Hearing and Service Hearing	August 8, 2006	December 12, 2006
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	November 14, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	
Application process for taxi stands with DPT.	April 25, 2006	

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Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Taskforce, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or bye-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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Taxicab Commission

September 12, 2006

SF
T23
#2
9/12/06

MINUTES

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
September 12, 2006
6:30PM
Regular Meeting

Present: Gillespie; Breslin; Kwok; Benjamin; Paek; Oneto; Heinicke
Absent: none

PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:35 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz - Taxi Commission, Lt. Jeanne Scholtz- Taxi Detail, Tom Owen- City Attorney

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1. ROLL CALL - Roll Call showed a quorum was present.

2. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS [INFORMATION]

• Executive Director, Heidi Machen gave an update on the meetings she attended and correspondence received and sent.

COMMISSIONER ANNOUNCEMENTS:

- Vice President Breslin requests the Director to announce the date of the DPT hearing for the taxi stand in front of Macy's. Executive Director Machen replies the DPT hearing on the Macy's taxi stand is Friday September 15th, at 10:00 a.m. in Room 400 at City Hall. Vice President Breslin asks if the nominations for the non-voting members of the drivers Health Care Working Group were selected. Director Machen states yes the non-voting were already selected within the resolution and under the advice of City Attorney Tom Owen, letters have been sent inviting them to participate. Vice President Breslin feels that a motion was passed for the Commissioners to choose the non-voting member. City Attorney Tom Owen clarifies that the resolution was passed by the Commission, the Commission can't tell any other department to send someone to participate in the working group it can only invite. Vice President Breslin understands the point but believes the invitations would be sent by the Commission. Comments on the complaint letter in the packet from a customer and would like all letters to be sent directly to her. Requests through the Chair a review of the schedule now until February.
- President Gillespie announces that Vice President Breslin is leaving early tonight and asks the City Attorney if Commissioner Breslin can

make comments on the health care working group. City Attorney Tom Owen allows it with no public comment. Vice President Breslin hopes that an owner operator or a member of the taxi association is part of either the voting or non-voting committee as well as an outside professional expert on benefits.

- Commissioner Heinicke requests from Commissioner Breslin to see a response from the Hotel Council on the letter complaining to Taxi Commission about illegal limousines operating at the Miyako Hotel. Vice President Breslin will give him a response.
- Commissioner Kwok is confused and upset on the health care committee procedure. Also recalls the motion by former President Smith that the Commission would nominated the non-voting member, feels sensitivity is missing by the Commission. Director Machen responds that no official action was taken by the Commission in the past. The whole Commission will be voting on the voting members. Commissioner Kwok will not be volunteering for any more committees in the future.
- Vice President Breslin is grateful to the Commissioners for taking the issue of health care on but states that a formal vote was taken and she was a Chair person. Advises staff to go back and look at the video, would like history to be correct. Director Machen comments that the tape will be looked at.
- Commissioner Oneto thanked Carl MacMurdo from PDA for meeting with him, also Thomas George-Williams, Ruach Graffis, and Mark Gruberg from UTW. Thanked Jim Gillespie for taking him around Yellow Cab Company and John Lazar & Tom Stangelini of Luxor Cab.
- Commissioner Benjamin thanked Regent Cab Company for meeting with him and Heidi Machen, noted that an idea discussed was upgrading the cab companies to use computers.

PUBLIC COMMENT:

- **Robert Cesana:** Provides handout to Commissioners regarding anADA denial letter to a medallion holder. Feels the Commission staff is over-reaching until a discussion of disability happens, nothing was suppose to happen until that time.
- **President Gillespie:** Feels comments by Mr. Cesana did not relate to the Staff Report.
- **Barry Taranto:** Feels complaint letters on hotels need to go to both the hotels and the Taxi Commission public. Against putting in a Macy's taxi stand because there will be no enforcement, would like a stand in front of Bloomingdale's as well. Would like to see the process of choosing non-voting members open to the public.
- **Carl MacMurdo:** Speaks on the same subject as Robert Cesana, feels that it's something that staff did and should be reported, offers to wait to speak till Item 3. President Gillespie prefers he wait.
- **Thomas George-Williams:** Clarifies complaint letter on Hotel Miyako to the public.

3. PUBLIC COMMENT

- **Blake Derby:** States the meeting agenda was not posted on

the website. Discusses the issue of illegal limousines and hotels.

- **Barry Taranto:** Happy that a medallion holder commented on illegal limousines. Requests the meeting be adjourned in memory of Cliff Lumberg and Alfred Stone. Also requests a resolution to the police department asking to deal with the solicitation of illegal enforcement at major events particular football and ball games. Feels ramp taxis are becoming a issue at the airport and would like companies to provide the pick-up numbers to the public.
- **Jane Bolig:** Reads comments on Proposition K and the need for the Commission to re-visit the law.
- **Carl MacMurdo:** Adds Arthur Salerno who should be honored at the end of the meeting. PDA had its annual meeting yesterday and will have a name change in the next few weeks also Charles Rathbone is our new Treasurer. Commission staff has been sending letters out denying ADA accommodations and it was my understanding that we would have a hearing discussing these matter before formulating policies.
- **President Gillespie:** Reminds the public October 10th is the hearing on the Goldman's School Report and any related issues that people would like to raise or provide specific proposals.
- **Dan Hinds:** Thanked Commissioner Benjamin and Heidi Machen for coming to National and visiting the company. Comments on the ADA issue and feels the Commission needs to formulate a policy.
- **Commissioner Heinicke:** Inquires if the issue will be directly calendared. Vice President Breslin comments that this issue has been calendared previous times and would like to propose having a representative to present the information to the Committee and not as a three minute speaker.
- **Commissioner Kwok:** The issue of who is handling the accommodations is important and should be discussed.
- **RobertCesana:** Requests that the issue be calendared as an exclusive item and speakers be given a extended speaking time.
- **Tariq Mehmood:** Taxi drivers do not come to the meetings because they will be harassed. The President of Yellow cab has made bad comments to me.
- **BillMouwsey:** Permit holders are starting a scam by using disability, he understands the law and will follow it when he receives a medallion.
- **Alec Kaplan:** Comments on the issue of illegal limousines and would like an investigation done.
- **Charles Kletnan:** Explains the meter and half law suggests the sound click meter in New York worked well.
- **Nathan Dwiri:** Responds to Mr. Mehmood's comments.
- **Michael Spain:** Discusses the ADA issue on whether the Department of Public Health or the Taxi Commission should make accommodations and how much a regular cab driver makes an hour.
- **Thomas George-Williams:** Announces to the public that if any driver is being intimidated come to the United Taxi Workers

for help.

- **Lt. Jeanne Schlotz**: Responds to Barry Taranto's statement for the need of limousine enforcement, and commends the officers who have been tagging and towing limos.

6. DISCUSSION OF THE TAXICAB INDUSTRY REPORT ON RATES OF FARES & GATE FEES BY THE CONTROLLER'S OFFICE. [DISCUSSION AND POSSIBLE ACTION]

Discussion ensued, including the following points:

- Director Machen introduces item to the Commission.
- Todd Rydstrom, Director of Budget and Analysis, with the Controller's office gives overview and presentation of the Controller's Taxicab Industry Report to the Commission and public.
- Commissioner Benjamin asks Mr. Rydstrom's opinion as to what the appropriate gate cap should be? Mr. Rydstrom's responds that anything upwards to $104.00 dollar gate cap should be considered, legislatively what we are authorized to implement is the $92.00 gate cap. Commissioner Benjamin asks if prior to the sunset taking affect wasn't it true that the gate cap began at $90.00 for those who provided worker's compensation therefore if you compare that with your CPI it would come to a figure that would be $97.00. Mr. Rydstrom responds that is very true, in fact it would be $97.41. Commissioner Benjamin clarifies that the 90 dollars was approved but then the sunset portions of the feasibility of the health care and long term lease were added on to that afterwards. Whether that should take affect is a point of clarification we should discuss. The base should be $90.00 if you are providing worker's compensation. Todd Rydstrom states there is argument that companies can make if they are providing full service.
- Commissioner Heinicke feels the gate cap that would take affect if the Board took no action would not differentiate between operation companies, service level providing and worker's compensation.
- President Gillespie understood the Paratransit pass-through as a temporary thing until the Paratransit could make yearly budget adjustments to reflect the new meter rates but it has perpetuated itself over the years and we still charging ourselves to fund the Paratransit program asks for Mr. Rydstrom's opinion. Mr. Rydstrom's responds to President Gillespie's question as a point of information, in the Municipal Railroad budget they did only include half the amount they did in prior years of $450,000, if a Paratransit extension weren't given through Dec. 31, they would be looking at a $450,000 shortfall. I do think it is a point of discussion among policy makers who is going to bear the cost of it ultimately is a critical point you raised.
- President Gillespie follows up with more questions to Mr. Rydstrom. Thanked him for his presentation and his work done on the report.

PUBLIC COMMENT

- **Charles Rathbone:** Comments on the Controller's Report pg. 21 Table P, reads the recommended rate increase, points out a taxi meter has to be the same increment of charge. Gives his website www.taxis-sf.com which provided a series of charts on the numbers.
- **Todd Rydstrom:** Regarding difference in increments, we would have to work with the Executive Director and the Commission to operationalize what is legislated.
- **John Lazar:** The gate cap has caused a negative impact on Luxor Cab Company since revenues are capped, competition should be promoted. Would like to purchase more hybrid and continue in mobile technology but can no longer afford to do so.
- **Barry Taranto:** Thanked Todd Rydstrom for his presentation. The Paratransit issue was suppose to be temporary and inquires on what is the status of the legislation. Feels it is not the right time to raise fares, since the fiscal year is not over and the market is not right.
- **Mark Gruberg:** Feels it is not the right time for gate and meter increases because of health care.
- **Robert Cesana:** Health care is not happening for another year, the Controller has said we need increases on a timely manner.
- **President Gillespie:** Inquires if the Controller would make any adjustments to the price of gas?
- **Todd Rydstrom:** Because of the volatility of gas it has to be revisited every year, the fuel surcharge was based on a $3.20 rate.
- **Carl MacMurdo:** The most recent legistlation on rate and gate was in 2000, and linked a social policy issue of the feasible of health coverage to cab drivers to possibly sunset the gate cap is a huge mistake. Believes Sean Elsbernd was going to introduce this to the Board of Supervisors and it will be sent to a committee in two weeks.
- **President Gillespie:** Did the Board of Supervisors set a date today?
- **Executive Director Machen:** Staff spoke with Supervisor Elsbernd's office today and we were assured they would be setting this hearing by the end of the month.
- **Dan Hinds:** The Controller's report stated a average 3% profitably at the current gate cap of $91.50, which none of the companies would make a profit. Full service companies should not be penalized in regards to health care.
- **BillMouwsey:** San Francisco has the second highest rates in the United States, rates should not go up because the public will stop taking taxis.
- **Nathan Dwiri:** It is critical for you to make a decision and offer a recommendation to the Board of Supervisors because they want to hear from the Commission.
- **President Gillespie:** What would be the effect on your

company if the gate cap would role back to $85.00? What is your opinion on the Paratransit pass-through, is the industry happy about that or should they feel Muni should budget for the fares that are set?

- **Nathan Dwiri:** The effect would be real devastating. I have never had a problem supporting the Paratransit community, the money was attached to the meter so the public was paying for this not the drivers.
- **Commissioner Heinicke:** Thanked Mr. Dwiri for responding to the Commissions questions, I understand the average gate cap is $91.50, where does this average come from? Is the $85.00 dollars not working for the market.
- **Nathan Dwiri:** The $91.50 is the legal standard gate cap at the moment, the $85.00 is a presumption that based upon the inability for the city to implement health care for drivers, as of Sept. 2004 the gate cap was suppose to roll back.
- **Todd Rydstrom:** We continue to believe that the gate cap is $85.00.
- **Commissioner Heinicke:** Do you think a variable gate cap is possible, if you say to a company you do x, y, z you get this gate cap but if you don't provide that service to the community you get this gate cap. I just want to know if it's even practical. Do you think it will be feasible to micro-manage what the services provide with a menu of variable gate caps?
- **Nathan Dwiri:** In effect that is what we have now, the companies who charge the maximum are suppose to provide worker's compensation. Mr. Lazar's point is good on wanting to charge a reasonable gate cap otherwise I can't provide services.
- **Commissioner Heinicke:** This is a very fundamental thing before us and I feel we won't get enough information to make a recommendation.
- **Michael Spain:** Comments on the last page of the Controller's report, notes the first gate cap of $83.50. Gates should be at $104.00 today as the maximum amount.
- **Jim Gillespie:** In 1998 the Mayor's Taxi Task Force recommended a temporary gate cap to be established to sunset in 24 months, then in 2002 the Controller recommended a gate cap of $90.00 for companies that paid worker's comp and any future rate or adjustments in the future be based on the CPI.
- **Ruach Graffis:** The gate cap exists because the companies were increasing the rates at double the rate of inflation. Perhaps it's time for the City to step in and impose a permit holder's fee.
- **Thomas George-Williams:** We need a gas surcharge now and the Commission needs to enforce the laws of the gate cap. Displays print out of Yellow charging $92.50 for the gate.
- **Tariq Mehmood:** Discusses companies making 50% profit off the gate caps and requests the Commission to look into the numbers.

- **Blake Derby:** Discusses the issue of driver complaints.

Discussion ensued, including the following points:

- President Gillespie provides history to the new Commissioners on meter increases and gate control. Would like the Commission to give a recommendation on what the gate cap should be and suggests a possible surcharge on the gates for hybrids. Rolling back the gate will create problems for the companies. Suggests continuing item till next Commission hearing on September 26th.
- Commissioner Benjamin disagrees with President Gillespie, feels that the gate should be at $104.00. The Board of Supervisors is going to make the ultimate decision, it is suppose to increase every two years based on the CPI. If we are here and do not make a recommendation we are not doing our job, recommends the Commission to vote on the issue.
- Commissioner Heinicke comments that the CPI rate starts from an inflated point, CPI should be used as a barometer but we need to look to the industry and ask what the gate cap should be. Feels UTW raised a credible concern if the gate cap is voted on, health care reform will be very hard to take on later. I want to think about this before I vote on it. I think it is logical to have a temporary gas surcharge relief for drivers. The Commission should try to answer all these questions but at a later time with more information however, if we do nothing now the Board of Supervisors may take over this issue.
- Commissioner Paek commends different points the Commissioners raised about the issue. I feel uncomfortable about making a decision tonight and want to make a decision that every one will agree with. Requests the Director to contact the Board of Supervisors so we do not miss the deadline to give a recommendation.
- Commissioner Benjamin retracts his previous statement for the suggested $104.00 gate cap, but if we look at the $90.00 base for the beginning of what we should reflect with the CPI, I do not think we should roll back the cap. Then realistically it would be $97.00, but what the Controller is recommended is the $85.00 but this has been acted upon before the Board of Supervisors meet.
- President Gillespie comments it would be $85.00 plus the CPI adjustment of $7.00, comes out to $92.00 which is about a $1.00 increase as to what the average gate cap is now. I want to continue this to our next meeting to give guidance to the Board of Supervisors. Feels the comments made by the Commissioners are very important and should be thought about in great detail.
- Commissioner Heinicke comments on what he feels are the questions that need to be addressed at the next hearing. President Gillespie inquires if Commissioner Heinicke would like to address the issue tonight or in two weeks. Commissioner Heinicke would like to start the next meeting with some focused questions so we can give answers to that.
- Commissioner Kwok feels majority of the drivers are against a

meter increase because it would hurt business. Would like health care to be addressed now rather than later, and suggests to continue item in two weeks.

- Commissioner Oneto questions how often are we able to revisit the gate cap? Twice a year?
- City Attorney Tom Owen answers the Commission can make recommendations to the Board to suspend or amend the legislation which is currently revisited every other year.
- Commissioner Oneto expresses his concern of health care and feels that in two weeks it will not be dealt with. Any increase by the Commission would be a short term fix since many of the issues like Paratransit and health care are being dealt with at later times. If we could recommend to the Board that they revisit the gates and suspend the two year limitation. City Attorney states that is correct.
- Commissioner Heinicke questions if the issue of companies possibly paying back the gate is of concern. President Gillespie explains people have mentioned lawsuits but those are the ones who want health care. Suggests a provisional measure to the Board of a $91.50 or $92.50 gate cap, no fare increase, and a gas surcharge of five cents in the mileage. This would keep the status quo and allow the companies to keep in operation.
- Director Machen inquires if Commissioner Heinicke was suggesting a motion. Commissioner Heinicke states no he was just putting it out there.
- President Gillespie thinks it was a great suggestion and would like the Director to put in a couple different resolutions to have for the next meeting and to communicate with the Board of Supervisors to schedule this after our 26th meeting. Thanked Mr. Rydstrom for staying throughout the whole meeting to hear the discussion. Item is closed.

(President Gillespie calls for Recess of the regular Commission meeting and convenes the special meeting of the Subcommittee for Nominations to the Taxi Driver Health Care Implementation Plan working group.)

8. CONSIDERATION AND POSSIBLE ADOPTION OF RECOMMENDATIONS OF THE SUBCOMMITTEE FOR NOMINATIONS FOR FIVE (5) VOTING MEMBERS OF THE TAXI DRIVER HEALTH CARE IMPLEMENATION PLAN WORKING GROUP [DISCUSSION AND POSSIBLE ACTION]

Discussion ensued, including the following points:

- President Gillespie announces the recommended names by the subcommittee to the Commission; Dennis Korkos, Paul Gillespie, Tom Oneto, Ruach Graffis, and John Lazar. I will take public comment on these nominations.

PUBLIC COMMENT:

- **Robert Cesana:** I understand the Commissioners have never rode in a cab, we really need a member of the public who takes taxi cabs.

Commissioner Gillespie nominates Dennis Korkos. Motion passes 5-0

AYES: Gillespie; Oneto; Heinicke; Paek; Benjamin **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

Commissioner Gillespie nominates Ruach Graffis. Motion passes 5-0

AYES: Gillespie; Oneto; Heinicke; Paek; Benjamin **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

Commissioner Gillespie nominates John Lazar. Motion passes 5-0

AYES: Gillespie; Oneto; Heinicke; Paek; Benjamin **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

Commissioner Gillespie nominates Tom Oneto. Motion passes 5-0

AYES: Gillespie; Oneto; Heinicke; Paek; Benjamin **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

Commissioner Gillespie nominates Paul Gillespie. Motion passes 5-0

AYES: Gillespie; Oneto; Heinicke; Paek; Benjamin **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

Discussion ensued, including the following points:

- President Gillespie concludes the subcommittees work on nominations. Director Machen will be getting in contact with the five members. Requests to hear the seven members who have been chosen as candidates as non-voting member of this committee.
- Director Machen reads members: Representing the Mayor's Office we have Lane Kasselman who is Fiscal & Policy Analysis, from the Department of Public Health we have Jim Soos, Senior Health Program Planner, from the Controller's Office we have Todd Rydstrom, the alternative is Peg Stevenson, from the San Francisco Health Plan we have Ellen Kaiser who is the Director of Planning and Evaluation, from the City Attorney's office we Tom Owen and representing private health care industry we have Carrie Winsten and Llene Levinson sharing a seat from Dublin Insurance Company and Ken Jacobs from the Institute of Industrial Relations, Ken also participated on the Mayor's Task Force on universal health as well as helping out the SF Health Plan in putting together the implementation plan for health care for drivers.

4. CONSIDERATION OF THE MINUTES for the August 22, 2006 TAXICAB COMMISSION MEETING [ACTION]

Commissioner Heinicke motions to approve the minutes. Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Gillespie: Oneto; Paek; Benjamin; Heinicke **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

PUBLIC COMMENT: No public comment

5. **CONSIDERATION OF THE CONSENT CALENDAR [ACTION]**
Commissioner Benjamin motions to approve Items A, B, C 1&2, E, F & G on the Consent Calendar. Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Gillespie; Oneto; Paek; Benjamin; Heinicke **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

Discussion ensued, including the following points:

- Director Machen gives recommendation to the Commission to sever Item C3, Item D, and Item H1&2.
- Commissioner Benjamin and Commissioner Gillespie are recused on B2.
- City Attorney Tom Owen states that B2 will be continued since there are only three voting Commissioners.
- President Gillespie honors Paul Harting & Eloy Alanya for receiving medallions.

PUBLIC COMMENT: No public comment

A. *Approved Public Passenger Vehicle Driver Permit(s):*

Adenugba A. Aderele	Yahya S. Alwan	Hussein Azimirod
Methson L. Berhane	Daniel M. Berhe	Christopher A. Black
Khuderbaatar Bud	Richard Y. Chin	Elmi F. Dayran
Abdalmuhsin E. Emubarak	Kevin T. K. Fong	Jose R. B. Frazao Jr.
Padam Giri	Robert J. Goldstone	Gebrezgi G. Hagos
Yohannes R. Hailemariam	Eddy Hsueh	Sendeku M. Kassie
Faisal Khan	Abdulghaffar E. Khogali	Myung S. Kim
Christopher K. Marsh	Celeste L. McCarty	M. Hamed K. Medjadji
Matthias H. Naderi	Asam M. Noman	Antaeus D. Schumpert
Dmitriy Shikhvarg	Hafizul H. Skandari	T. Lawrence Smith
Kesar B. Thapa	Gary P. Vo	

B. *Approved Color Scheme Change to:*

Medallion Holder:	Medallion #:	Change:
1. Kent Ying Wah Lan	465	Royal Cab to Regents Cab

C. *Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permitto:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Paul Harting	248	Yellow Cab
2. Eloy George Alanya	249	Arrow Cab

E .*Approved list of Applicant Names(s) who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Section 1080(c)(2) for failure to submit an application:*

Applicant Name(s):	List #:	Notes:
1. An L. Chan	6-362	Per Resolution No. 2006-87
2. Darren Jew	6-347	1 Year Time Waiver ended 08/09/06
3. Ricci Sims	6-422	

F. *Approved list of Applicant Name(s) who are ineligible for a* ***Ramp*** *Taxicab Medallion per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:
1. Kathleen K. Hughes	6-572
2. Richard Healy	6-556
3. Dev R. Narewatt	6-568
4. Parminder Singh	6-571
5. Larry Sager	6-573
6. Kevin L. Nguyen	6-574

G. *Approved color scheme taxi wrap for:*

Color Scheme:	Luxor Taxi
Medallion #'s:	146, 284, 314, 333, 655, 781, 794, 1039, 1014, 1193 117, 118, 126, 127, 142
Duration of Campaign:	September 25 - October 1, 2006
Advertiser:	Gilead Sciences Inc. - Clear Channel

Commissioner Oneto motions the Director and staff to further investigate Item C3 and continue until two weeks. Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Oneto; Paek; Gillespie; Heinicke **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
3. Eugene Shu	275	Union Cab

**Continued till September 26, 2006*

PUBLIC COMMENT

- **Thomas George-Williams:** Received the agenda packet for the meeting and reviewed Eugene Shu's application. The first thing of concern is, he wrote in third person on his application, he works for the water department, and also has a conviction. I went through 40 waybills and compared them to the airport records and they did not match. Waybills are fake and do not grant him this medallion.
- **President Gillespie:** I had questions raised about this application privately, as well as issues with the company's policies. I would like to continue this application to thoroughly review all the documents.
- **Charles Rathbone:** On behalf of PDA and we are happy to

recommend to approve this applicant and urge the Commission to approve his permit.

- **Commissioner Heinicke:** Questions Director Machen if more time is needed to complete this investigation?
- **Director Machen:** We do have limited resources but from our initial review we were satisfied with this applicant. A closer investigation has been performed, and some questions have been raised, if this Commission feels these questions are raised to such a level that staff needs to take another look at this, we will certainly invest the resources as you direct us to.

Commissioner Heinicke motions to continue Item D1 till the next Commission hearing. Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Oneto; Paek; Benjamin; Heinicke; Gillespie **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

D. Consideration of the Taxi Commission to extend Time Waiver:

Medallion Applicant Name:	List #:	Notes:
1. Ciro Matarazzo*	6-011	Time waiver was granted 08/23/2005 - 08/23/2006

**Applicant is currently on a second Time Waiver. Continued till September 26, 2006*

Discussion ensued, including the following points:

- President Gillespie inquired if Mr. Matarazzo was present. He had been present earlier but left the hearing.
- Commissioner Heinicke inquires if the Commission had denied a similar request the previous meeting. Director Machen responds there was not a request to extend a timewaiver through the calendar year. It is similar but not that same. Commissioner Heinicke asks if this person can still obtain the driving requirement if granted an extension. Director Machen says it is not possible.
- President Gillespie has been communicating with Mr. Matarazzo and did not know he hadn't driven in 2004 & 2005. I would like Mr. Matarazzo to be present when we discuss this and I would like to continue this in two weeks.

PUBLIC COMMENT: No public comment

Commissioner Heinicke motions to approve recommendation for Item H1. Commissioner Paek seconded the motion. Motion passes 4-0.

AYES: Oneto; Paek; Heinicke; Gillespie **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** Benjamin

Discussion ensued, including the following points:

- Jack Brodnax, from the Taxi Commission staff, gave presentation on H.1 for Cuong Tran.
- Commissioner Heinicke questions Mr. Brodnax on the fines

charged for Mr. Tran. Director Machen explains fines to the Commission.

PUBLIC COMMENT:

- **Mark Gruberg:** I urge you not to accept this recommendation and send this back to the hearing officer. Commissioner Benjamin should recuse himself from this since it involves Luxor Cab.
- **John Lazar:** We have two systems in the cab industry, we have color schemes where people buy their own vehicles and drive their own cars and the gas and gate program. Under the gas and gate program I can vouch for Mr. Tran, we keep accurate records and has complied with the rules. We are trying to get him up to speed and comply with the regulations and he is good standing with Luxor right now.
- **BillMouwsey:** Comments to Mark Gruberg's remarks, and the applicant has not been driving.
- **Thomas George-Williams:** Concerned if the case went before the hearing officer and recommends to send it to the officer.

H1. *Approved Final Decision by Executive Director Regarding Recommendation submitted by the Taxi Commission Hearing Officer:*

Applicant Name(s)	Violations	Penalty
1. Cuong Tran	4C1, 4C2, 4A9, 4A12, Sec. 1081	Fine $250 and 18 months probation

Commissioner Heinicke motions to approve recommendation for Item H2. Commissioner Paek seconded the motion. Motion passes 5-0.

AYES: Oneto; Paek; Heinicke; Gillespie; Benjamin **NOES:** None
ABSENT: Breslin; Kwok **RECUSED:** None

Discussion ensued, including the following points:

- Director Machen gives brief history of case to the Commission.
- Lt. Schlotz gives specific statement on behalf of Captain O'Neill and Sgt. Simpson who are concerned with the amount of the penalties. They are not nearly what they should be and the amount is not what was agreed upon. Commissioner Heinicke asked what the penalty fine should be or what does Sgt. Simpson feel it should be. Lt. Schlotz responds that Sgt. Simpson did not tell her an exact amount but at least another zero should be added on. Commissioner Heinicke inquires if the violations were admitted before the settlement deal was agreed or as part of the settlement. Lt. Schlotz responds she does not know. Commissioner Heinicke asks what we do procedurally if we agree with this.
- Director Machen responds, if you happen to agree with this you would make a motion to rehear this at the Commission level, if you have the support of your colleague and you would listen to the original tapes and records.
- Steven Anton, son of Bruie Anton states he was present at the hearing and the most serious violations focused on lost waybills, but due to a break in at our office it affected our record keeping which Sgt. Simpson was aware about. We accepted the responsibility but as far as the fine amount that was total news to us. We have provided all the waybills, everything they have instructed us on what we need to maintain we have done so and you can verify that with Jack.
- City Attorney Tom Owen clarified the prosecuting party is the Commission and not police department. The recommendation from the hearing officer goes

to the Director who has the power to modify. Commissioner Heinicke asks Director Machen why the fine is low and if the what the police officer is telling us is correct. Director Machen responds that the police department has had plenty of opportunity to respond to the fine. This is such an old case that it may be difficult to go back a year ago and figure out where the truth lies. I signed off on the agreement as is, this is the first that I have heard about this from Lt. Schlotz.

- Commissioner Tom Oneto questions if documentation goes from the hearing officer to the department? Is it available?
- Director Machen explains we can trace back the tapes, which was before my time. There is no guarantee that the tapes hold the answer, then you have a Sgt. who has just suffered a stroke and is out on leave.

PUBLIC COMMENT: No public comment

H2. *Approved FinalDecision by Executive Director Regarding Recommendation submitted by the Taxi Commission Hearing Officer:*

Applicant Name(s)	Violations	Penalty
2. Bruie Anton	5B6, 5B7, 5H10, 5H15, 5I4	Fine $225

7. RESOUTION URING THE BOARD OF SUPERVISORS TO AMEND THE SAN FRANCISCO BUSINESS AND TAX REGULATIONS CODE BY ADDING SECTION 76.5, TO SET A APRIL 30 CUTOFF FOR ANNUAL RENEWAL OF A MOTOR VEHICLE FOR HIRE DRIVERS PERMITS [INFORMATION & POSSIBLE ACTION]

Commissioner Benjamin motions to approve resolution #94 urging the Board of Supervisors to amend the San Francisco Business & Tax Regulations code by adding section 76.5 to set a April 30 cutoff for annual renewal of a motor vehicle for hire drivers. Commissioner Paek seconded the motion. Motion passes 5-0.

PUBLIC COMMENT:

- **Robert Cesana:** Feels the resolution is garbage because there is no beginning date. The list has never been sent to the tax collector till the middle of December, and then you only have 20 days to renew your permit. I have no objection if you put December 1st.
- **Thomas George-Williams:** Can I drive with my expired A-card from last year till April 30th.
- **Director Machen:** States you would be able to renew it with fees and penalties.
- **Commissioner Heinicke:** Did not understand Mr. Cesana's point that he made.
- **Robert Cesana:** In the 30 years that I have been renewing taxi permits, taxi permits can only be renewed until the treasurer receives the information which usually isn't till mid-December then there is a rush for all the drivers to renew it before January. I am asking the department to put December 1st for more time for drivers to renew it.
- **City Attorney Tom Owen:** As I understand it this suggestion is a duty imposed on the department to get a list to the treasurer by the beginning of December.
- **Director Machen:** The legislation that is being proposed still allows the permit holder to renew his/her motor vehicle for hire driver's permit up until February 1st without penalties or additional fees.

9. ADJOURNMENT

- President Gillespie requests to adjourn meeting with a moment of silence in the memory of Alfred Stone, Cliff Lundberg, & Arthur

Salerno.

Meeting adjourned at 11:18PM.
Respectfully Submitted,

Jaime Poblitz
Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

SF
T23
#1
9/26/06

TAXICAB COMMISSION AGENDA
REGULAR MEETING

September 26, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

DOCUMENTS DEPT.
SEP 25 2006
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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Public Comment (Please limit public comment to items **not** on the agenda).
4. Consideration of the Minutes for the September 12, 2006 Taxicab Commission Meeting. [ACTION]
5. Consideration of the Consent Calendar. [ACTION]
6. Consideration of Resolution urging the Board of Supervisors to modify the Controller's Recommendation on Rates of Fares & Gate Fees. [DISCUSSION & POSSIBLE ACTION]
7. Discussion on Clean Fuel Taxis and Future of Types of Vehicles. [DISCUSSION]
8. Consideration to allow Yellow Cab Trunk Advertising through December 31. [DISCUSSION & POSSIBLE ACTION]
9. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Sukhee Batmagnai	Solomon Teklemariam Bekele	Meseret Nigatu Bogale
Divino Marcos Alves Caixeta	Seth Nathan Calander	Intarathep Dechanu
Hashmat Ebrahimi	George Feldman	Yilma Gebreselassie
Nguyen Hiep Hua	Heithem B. Khelifi	Xin Li Lee
Matthew L. Li	Andreia Lobo	Aung Lwin
Abdul B. Mirzada	Eissa Hassan Mohammaed	Thant Z. Naing
Danny Oprea	Beka Dura Sambi	Imelda Hannah Sheehan
Fasil H. Siya		

B. Consideration of the Taxi Commission to grant a **New** Color Scheme Change to:

Medallion Holder:	**Medallion #:**	**New Color Scheme Name:**
1. Alec Kaplan	9062	Grasshopper Taxicab Company

C. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	**Medallion #:**	**New Color Scheme Name:**
1. Ali Bastani*	769	Luxor to Yellow Cab

**Continued from September 12th, 2006.*

D. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. John O. Avery	1085	Arrow Cab Co.
2. Eugene Shu*	275	Union Cab

**Continued from September 12th, 2006; Staff requests continuing until October 10th, 2006.*

E. Consideration of the Taxi Commission to extend Time Waiver:

Medallion Applicant Name:	**List #:**	**Notes:**
1. Ciro Matarazzo*	6-011	Time waiver was granted 08/23/2005 - 08/23/2006

**Applicant is currently on a second Time Waive; Continued from September 12th, 2006.*

F. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	**List #**
1. Edward Gruzman	6-418
2. Ronald Reissberg*	6-057

**Time Waiver expired 8/23/06*

G. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	**List #:**
1. David Reyes	6-557

25 Van Ness Avenue, Ste. 420, San Francisco, CA 94102 * (415) 503-2180 * Fax (415) 503-2186 * Email: sftaxi.commission@sfgov.org * Website. www.sfgov.org/taxicommission

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the October 10, 2006 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Vad Shamis (Ramp)	6-570	B & W Checker Company
2. Virginia C. Fuquay	6-144	Yellow Cab Co-Op
3. Ibrahim Awwad (Ramp)	6-807	Luxor Cab
4. Rizal Sofian (Ramp)	6-522	Luxor Cab

B. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	List #:
1. Dean Najdawi	6-560

C. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	Luxor Taxi
Medallion #'s:	232
Duration of Campaign:	10/14/06 – 11/12/06
Advertiser:	Alcatraz Cruises– Clear Channel

D. Commission Request to Calendar

President Gillespie	**Date of Request**	**Planned Hearing Date**
Hearing based on the Controller's report of the meter and gate fee adjustment.	August 8, 2006	September 12, 2006
Discussion on the future of types of vehicles primarily focusing on clean fuel taxis.	August 8, 2006	September 26, 2006
Paratransit Issues	August 8, 2006	October 24, 2006
Driver Health and Public Safety Hearing	August 8, 2006	November 14, 2006
PC & N Hearing and Service Hearing	August 8, 2006	December 12, 2006
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	November 14, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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San Francisco Taxicab Commission

September 26, 2006

MINUTES

Commission Chambers – Room 400

City Hall,1 Dr. Carlton B. Goodlett Place

September 26, 2006

6:30PM

Regular Meeting

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Present: Gillespie; Breslin; Kwok; Benjamin; Paek; Oneto; Heinicke

Absent: none

PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:38 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz – Taxi Commission, Lt. Jeanne Scholtz, Captain Thomas O'Neil– Taxi Detail, Tom Owen– City Attorney

1. ROLL CALL – Roll Call showed a quorum was present.

2. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS [INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent.

COMMISSIONER ANNOUNCEMENTS:

- Vice President Breslin requests to calendar to consult with DPT on expediting the process on placing the approved Macy's Taxi Stand. Requests to calendar enforcement of illegal limousines. Commissioner Breslin reports back on the Miyako Hotel incident from the last hearing and announces the matter is currently being reviewed by the human resources department.
- Commissioner Heinicke thanked Commissioner Breslin for following up with Hotel Miyako.
- Commissioner Paek requests to calendar to work with the Art Commission

on approving exterior and interior advertisement designs on taxicabs.

- President Gillespie comments on his experiences from his recent trip to Seattle , WA for the International Transportation Regulators Conference.

PUBLIC COMMENT:

- **Barry Taranto:**Concerned with taxis being unable to serve the Oracle event between 3rd & 4th on Howard, requests the Commission that the police do not prevent drivers from serving the area. Feels the Commission should provide drivers with more information on events such as the grand opening of Westfield.
- **Marshall Childs:**Comments about DPT ticketing on illegal limousines suggests having a hotel fee charge so that taxis can compete with limousines.
- **Thomas George Williams**: Spoke on meeting at SFO with police also taxi stands in San Francisco.
- **Bill Mouwsey:** Discusses personal incident with an illegal limousine, feels enforcement is needed.
- **Carl MacMurdo:** Announces PDA has officially changed its' name to MHA Medallion Holder's Association. Requests the Commission to calendar a discussion on disability policy.
- **Blake Derby:**Speaks on disability and the effects it has on taxi drivers. Would like more enforcement of illegal limousines.

4. CONSIDERATION OF THE MINUTES for the September 12, 2006 TAXICAB COMMISSION MEETING [ACTION]

Commissioner Paek motions to approve the minutes. Commissioner Oneto seconded the motion. Motion passes 7-0.

AYES: Gillespie: Oneto; Paek; Benjamin; Heinicke; Breslin; Kwok
NOES: None

ABSENT: None
RECUSED: None

PUBLIC COMMENT: No public comment

5. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]

Discussion ensued, including the following points:

- Director Machen gives recommendation to the Commission to sever Item B, Item C, Item D2, and Item E.
- Commissioner Benjamin and Commissioner Gillespie are recused on Item C.
- President Gillespie opens public comment on all items on the consent calendar.

PUBLIC COMMENT:

- **Jim Gillespie:** Comments on Item E1 and speaks on Ciro Matarazzo.
- **Steve Murray:** Speaks in support of Alec Kaplan's new color scheme Grasshopper Cab.
- **Mark Gruberg:** Refers to Jim Gillespie's comments on the driving requirement for receiving a medallion.
- **Barry Taranto:** Comments on Grasshopper Cab and is concerned whether it will help or hinder service to the public. Feels applicant who is requesting a timewaiver has had previous opportunities to receive a medallion.

Commissioner Heinicke motions to approve Item A on the Consent Calendar. Commissioner Kwok seconded the motion. Motion passes 7-0.

AYES: Gillespie; Oneto; Paek; Benjamin; Heinicke; Breslin; Kwok **NOES:** None

ABSENT: None **RECUSED:** None

A. *Approved Public Passenger Vehicle Driver Permit(s):*

Sukhee Batmagnai	Solomon Teklemariam Bekele	Meseret Nigatu Bogale
Divino Marcos Alves Caixeta	Seth Nathan Calander	Intarathep Dechanu
Hashmat Ebrahimi	George Feldman	Yilma Gebreselassie
Nguyen Hiep Hua	Heithem B. Khelifi	Xin Li Lee
Matthew L. Li	Andreia Lobo	Aung Lwin
Abdul B. Mirzada	Eissa Hassan Mohammaed	Thant Z. Naing

Danny Oprea	Beka Dura Sambi	Imelda Hannah Sheehan
Fasil H. Siya		

Discussion ensued, including the following points:

- President Gillespie inquires if Director Machen would like to comment on Item B.
- Director Machen responds that she isn't going to add anymore but that it is a ramp van operating as a single operator.
- President Gillespie calls Mr. Kaplan to address the issue of running a single cab company.
- Alec Kaplan responds that he is will be using Citywide Dispatch and has a ramp spare cab available but is has 189,000 miles and needs a paint job. I would like to get this new one rolling and consider the other one later. The issue of single-shifting will allow me to provide the greatest possible service since I will be working the busiest times.
- Commissioner Kwok inquires why he chose the name for his company and why he wants to start his own company.
- Mr. Kaplan responds he wanted to be in control of his schedule and hours. Grasshopper is a stage name that he used once before, the idea is the grasshopper hops around town.

Commissioner Benjamin motions to approve Item B on the Consent Calendar. Commissioner Breslin seconded the motion. Motion passes 6-1.

AYES: Gillespie; Oneto; Paek; Benjamin; Heinicke; Breslin **NOES:** Kwok

ABSENT: None **RECUSED:** None

B. *Approved New Color Scheme to:*

Medallion Holder:	**Medallion #:**	**Change:**
1. Alec Kaplan	9062	Grasshopper Taxicab Company

Discussion ensued, including the following points:

- Commissioner Kwok inquires what the recommendation is on Item C. Vice President Breslin asks Executive Director to give the background on

why the item was continued.

- Director Machen responds the item was continued because we did not have a quorum

Commissioner Kwok motions to approve Item C on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 5-0.

AYES: Oneto; Paek; Heinicke; Breslin; Kwok **NOES:** None

ABSENT: None **RECUSED:** Benjamin; Gillespie

C. *Approved Color Scheme Change to:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Ali Bastani*	769	Luxor to Yellow Cab

Discussion ensued, including the following points:

- President Gillespie announces that Item D2 will be continuing till October 10, 2006.
- Congratulates John Avery on receiving his medallion.

Commissioner Oneto motions to approve Item D1 on the Consent Calendar. Commissioner Paek seconded the motion. Motion passes 7-0.

AYES: Oneto; Paek; Heinicke; Breslin; Kwok; Benjamin; Gillespie **NOES:** None

ABSENT: None **RECUSED:** None

D1. *Approved Taxicab or Ramp Taxicab Medallion Holder Permit to:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. John O. Avery	1085	Arrow Cab Co.

D2. *Continued till October 10th, 2006:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
2. Eugene Shu	275	Union Cab

Discussion ensued, including the following points:

- President Gillespie recuses himself from voting on Item E1.
- Vice President Breslin does not believe the Commission has established guidelines on timewaivers.

Commissioner Benjamin motions to disapprove Item E1 on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 5-1.

AYES: Oneto; Paek; Heinicke; Kwok; Benjamin **NOES:** Breslin

ABSENT: None **RECUSED:** Gillespie

E. Denied request to extend a Time Waiver to:

Medallion Applicant Name:	List #:	Notes:
1. Ciro Matarazzo*	6-011	Time waiver was granted 08/23/2005 - 08/23/2006

Commissioner Heinicke motions to approve Item F on the Consent Calendar. Commissioner Kwok seconded the motion. Motion passes 7-0.

AYES: Oneto; Paek; Heinicke; Kwok; Benjamin; Gillespie; Breslin **NOES:** None

ABSENT: None **RECUSED:** None

F. Approved list of Applicant Names(s) who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	List #
1. Edward Gruzman	6-418
2. Ronald Reissberg*	6-057

Commissioner Heinicke motions to approve Item G on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 7-0.

AYES: Oneto; Paek; Heinicke; Kwok; Benjamin; Gillespie; Breslin **NOES:** None

ABSENT: None **RECUSED:** None

G. *Approved list of Applicant Name(s) who are ineligible for a **Ramp** Taxicab Medallion per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:
1. David Reyes	6-557

7. DISCUSSION ON CLEAN FUEL TAXIS AND FUTURE TYPES OF VEHICLES. [DISCUSSION]

Discussion ensued, including the following points:

- Director Machen introduces item to the Commission.
- President Gillespie welcomes speakers from the various groups to address the Commission.
- Bob Hayden, from the Department of Environment provides the Commission background on city wide policies on alternative fuel vehicles.
- Commissioner Heinicke inquires on cost effectiveness of alternative vehicles and if the city is saving money by using hybrids and CNG's. Mr. Hayden responds that no study has been done yet to see the long term savings.
- Doug Cameron, from Clean Energy, comments on an analysis done on the life cycle of a natural gas vehicle based on purchase price and fuel costs which concluded that it was less money on a monthly basis for 36 months to operate a brand new natural vehicle than a gasoline vehicle.
- Commissioner Heinicke feels there is a cost shifting problem with cab companies making the move to hybrids.
- Commissioner Benjamin asks what is the best market for CNG's and where do you operate from?
- Mr. Cameron responds our head office is Seal Beach and our best market is in California, our biggest market is in Southern California. Our market is vehicles on a fixed route, 50% of all the Transit Buses in California are natural gas. Commissioner Benjamin asks if Southern California offers any incentives for companies to buy CNG's. Mr. Cameron responds that in the Bay Area, a $4,000 grant if offered from the Bay Area Air Quality Management District, the reason they give the

grant is because the Crown Victoria is carb-certified as super ultra low emission vehicle. There is a $2,000 DOE grant which is applied through us and we administer over it which helps buy down the purchase price of the vehicle as well as a $2,500 up front grant and since Jan. 1, 2006 the Federal government offers a $4,000 tax credit. If you total all the grants and tax breaks is $12,500 per vehicle.

- Commissioner Benjamin asks what the Commission can offer to the taxi industry to buy hybrid vehicles. Mr. Cameron responds the air district gets funding by taking $4.00 from every vehicle registered in the Bay Area and puts it in a fund, if their is a way the Commission could take .10 a ride, there would be millions of dollar in a pool in a short period of time. The biggest encouragement is cost.
- John Janes, from Ford Company, provides maintenance information on CNG vehicles and hybrids. Commissioner Heinicke inquires what he sees as the barrier of sales for natural gas vehicles for the public, is it familiarity for people riding in these cars.
- Mr. Janes responds that Ford only offers CNG in the Crown Victoria, in the retail market the buying of the hybrids has been accepted but I feel it may drop off with no more carpool lane stickers. PG&E is doing major advertising on the CNG and is looking for a partnership with the taxi industry.
- John Lazar, Manager of Luxor Cab, gives update on the status of alternative fuel vehicles in the fleet. Luxor is looking into purchasing a new car from Standard Taxi which can be converted to a natural gas car and is also wheelchair accessible. Affordability is a concern for cab companies and incentives need to be given for purchasing alternative fuel vehicles. Please go to standardmotors.com
- Hal Mellagard, Manager of Yellow Cab, announces Yellow Cab will be opening a CNG Station. Concerned with maintenance costs when a vehicle hits 150,000 miles, incentives need to be given to pay for that shortfall.
- Commissioner Heinicke asks why do companies buy the vehicles if it leads to a $3,000 shortfall that benefits someone else?
- Mr. Mellagard responds that Yellow Cab are not total environmentalists but we do have a gas station which we will make a little money on. We care what the public thinks on having a clean fleet.
- Commissioner Benjamin asks Mr. Mellagard what are some incentives that could be offered?
- Mr. Mellagard says that cash is the best incentive. The airport incentive did not help nor was it fair but advertising can be used to generate

money. Commissioner Heinicke asks how does the company determine what drivers get the alternative fuel vehicle? Mr. Mellagard hand picks the drivers since there are so few, more and more drivers are requesting hybrids now because of the savings in fuel.

- Former Commissioner Martin Smith speaks on the cost savings and maintenance of using hybrids.
- Commissioner Heinicke would like to see an analysis done on the savings by purchasing these vehicles and figure in some extra costs and compare them to regular gasoline cars.

PUBLIC COMMENT:

- **Joseph Fleischman:** Speaks on the effects of global warming and the need for hybrid vehicles.
- **Barry Taranto:**Feels the limited number of CNG fueling stations is a problem and the older the vehicle gets the more maintenance is needed.
- **Bill Mounsey:** Feels companies are doing a good job with hybrids. Comments on Yellow Cab having a CNG station.
- **Marshall Childs:** Did an investigation between Hybrid and CNG's, and found a difference in purchasing prices.
- **Mark Gruberg:**Believes there should be a goal of 100% alternative fuel vehicles and a company financial incentive is needed.
- **Nathan Dwiri:**No drivers are forced to buy gas from company stations. Yellow will not be setting the price of gas.
- **Thomas George Williams:**Comments on Yellow Cab and feels global warming is happening and all taxis need to be fuel efficient.
- **Jane Bolig:**Speaks on experience of CNG cabs at National Cab and drivers wanting to drive hybrids instead.
- **Michael Spain:** Discusses other alternative fuel efficient vehicles other than hybrids and CNG's, feels companies need incentives.
- **Tariq Mehmood:**Comments on alternative fuel vehicles and the need for ramp accessible taxis.
- **President Gillespie:**Thanked everyone for discussing this important issue.
- **Commissioner Heinicke:**I would propose we agendize this item to discuss recommending to the Board of Supervisors a plan for such incentives and an analysis what the savings are for drivers and taxi

companies.

- **Commissioner Kwok:** Is concerned who is going to pay for the cost of this.

6. CONSIDERATION OF RESOLUTION URGING THE BOARD OF SUPERVISORS TO MODIFY THE CONTROLLER'S RECOMMENDATION ON RATES OF FARES & GATE FEES. [DISCUSSION AND POSSIBLE ACTION]

Discussion ensued, including the following points:

- Director Machen introduces item to the Commission and announces the Budget and Finance Commission hearing on the Controller's Recommendation tomorrow at 1:00 p.m. at the Board of Supervisors Chambers.
- President Gillespie provides handout to the Commissioners on some amendments he suggests to the resolution.
- Commissioner Heinicke gives proposal of issues; no flag drop increase and no change to gas surcharge but having signage on the cab. Questions what the gate cap time span should be and what conditions should be attached, such as a incentives for purchasing hybrids.
- Vice President Breslin comments on the charts provided by Hansu Kim in relation to the gate cap. I want to give incentives to taxis staying in San Francisco, I do think there needs to be a flag drop for shorter trips and do not want a meter increase.
- Commissioner Kwok asks President Gillespie if he wants the Commission to have a consensus or agreement on a recommendation to the Board.
- President Gillespie would like to have a consensus because the Board is looking to us for guidance. Would like to know the process of the Controller's Report?
- Director Machen responds the Board will have two opportunities to vote on what comes out of the Finance Committee. By October 31st, the Board must adopt a resolution disapproving or modifying the Controller's determination.

PUBLIC COMMENT:

- **Emile Lawrence:** Feels the Commission needs to look at the effect increases have on drivers.

- **Mark Gruberg:** The public has not heard President Gillespie's proposal and cannot comment since the public has not reviewed it.
- **President Gillespie:**Responds it is not a formal proposal and reads it to the public.
- **Commissioner Kwok**: Suggests that in the future it should be given to the public.
- **Mark Gruberg**: Resolution is aimed at justifying a gate that the City attorney has said is illegal. Where is our health care plan, it is three years overdue.
- **Vice President Breslin**: Comments she doesn't want the public to get sidetracked with history and the focus should be on the Controller's Recommendation.
- **Barry Taranto**: Agrees with Commissioner Breslin comments that the public is affected by what the Commissioner decides and incentives are needed for drivers. Dollar surcharge is needed because of high cost of gas.
- **Dan Hinds**: Major companies are at marginal profitability, and the gate cap affects the full service companies and the Commission should understand that.
- **Marshall Childs**: Provides graph to the Commission and outlines what costs are to drivers.
- **Carl McMurdo:** Comments on the Consumer Price Index and thinks it's improper to deny taxi drivers their CPI increases based on what a committee will decide in the future.
- **Bill Mounsey:**Feels the gates should not be increased at all. No cab driver wants the fare to increase because the public cannot afford it.
- **Hal Mellegard:**Agrees the gasoline surcharge should be placed on the drop.
- **Commissioner Heinicke:**If we were to increase the flag drop it would be marginal, would it give an incentive to cab drivers. Where would we have to go with a flag drop increase?
- **Hal Mellegard:**I think a dollar on the flag drop.
- **Commissioner Oneto:**If the increase were to go the drop rather than the mileage, what would be the driver incentive to the western part of the city?
- **HalMellegard:**If you are radio dispatched and offered a order a block away the incentive is to pick that load up regardless if you are going a short distance, you have a lot more money at the end of the shift.

- **Commissioner Oneto**: Feels they aren't many cabs out in the excelsior district.
- **Lohit Tekula**: Does not want any increase in the meter or gate and would like the Commission to focus on a health care plan for drivers.
- **Commissioner Kwok**: In your opinion, what is the premium range you would feel comfortable paying for health care?
- **LohitTekula**: Responds 30-40%.
- **Nathan Dwiri**: The cost of health care has risen greatly and more employers have gotten out of the health care business. Health care is not going to happen easily for drivers.
- **Ruach Graffis**: The Commission needs to make sure the gate and meter raise go forward together with the health care.
- **Manny Quintana**: Opposed to a gate or meter increase, would like to see a gate deduction for drivers.
- **Thomas George Williams**: The gate cap is $85.00 based on the City Attorney and the Controller's report. We need a flexible gas surcharge of $1.00 with signage.
- **John Lazar**: Concerned for his company regarding the gate cap, feels his company is financially handcuffed. We can no longer purchase hybrids or improve dispatch services.
- **Michael Spain**: Conducted his own public survey on rate increases; gives opinion and rates to the Commission.
- **Joseph Flesichman**: Gives history on meter increases, and is for a gate and meter increase.
- **Tariq Mehmood**: Feels companies will charge more if you increase the gate. If you increase the meter the public will stop taking taxis.
- **JimGillespie**: Suggests a dollar gas surcharge and suggests the Commission look at the charts to the CPI adjustments regarding the gate cap.
- **Martin Smith:** Suggests the gate be at $97.00 and if a company is going to buy new hybrids it should be at $104.00. Most drivers want to see a dollar on the drop and not a meter increase.

Discussion ensued, including the following points:

- Commissioner Kwok would like a proposal made to the Board of Supervisors.
- President Gillespie feels the gate control law is flawed and to attempt

to roll back the gates would not work. Does not believe in raising the gates right now and feels it should be revisited after the health care task force meets. My resolution is not a motion.

- Vice President Breslin heard the public say they wanted to tie issues to the increases but feels the Commission is not ready to do that. Motions to propose a $1.00 gas surcharge on the flag drop and an increase the gate to $92.00, to sunset at the end of the fiscal year or in accordance with the health care plan.
- Commissioner Benjamin feels the flag or rate increase should be based on what benefits drivers, discusses thoughts on increasing the gate. Motions to keep the gate at $97.00 and keep it retroactive. Kwok seconds the motion.
- Commissioner Heinicke gives additional thoughts on the issue, feels a recommendation is essential to give to the Board but feels it should be short term. Favors not to adjust the meter rate but to have some signage for the drivers. Does not feel the gate should be rolled back and should be somewhere in the mid-90s. Feels no meter increase subject to review in 6 months, and a gate cap set at $94.00 with no provision on retroactivity reviewed in 6 months.
- Commissioner Paek would like to see the health care issue as a priority and would like the office to get the correct information on the gate fee which was at $85.00. Questions the legality of increasing the gate. Comments the meter should not be increased.
- President Gillespie confirms Commissioner Paek's comments as to not change the meter or gates until health care has been visited.
- Commissioner Oneto doesn't believe in a gate increase without increasing something for the drivers.
- President Gillespie feels that Commission has consensus that they will not roll back the gate to $85.00. Commissioner Paek feels there is no legitimacy and wants to know what happened from the $85.00 gate cap.
- Commissioner Oneto feels the Commission cannot expect companies to participate if they aren't given anything.
- Vice President Breslin feels Commissioner Oneto brought up a good business element.
- Commissioner Heinicke summaries the two alternate proposals the Commissioners are suggesting; to confirm the current gate cap and do nothing with the meter as a short term solution and revisit it in 6 months, and the other proposal to stick with Controller Recommendation's of the CPI adjustments and go to a higher gate cap of $96-97 range and to have a flag drop increase.

- Commissioner Breslin asks Commissioner Oneto what he feels about the flag drop. Commissioner Oneto responds it's that same issue, you reward people for going short distances and take away from the outlying areas of the city.
- President Gillespie feels the summaries Commissioner Heinicke made were accurate. Commissioners agree on the two proposals that are being discussed.
- Commissioner Kwok would like the Commission to be more sensitive to his needs because of his arrangement with his health care attendants.
- Commissioner Heinicke suggests to President Gillespie not to make two recommendations and to vote on the different proposals until their is consensus.
- Vice President Breslin suggests a motion. Commissioner Kwok notes that a motion was already on the table and he seconded it. Would like to make a friendly amendment to have the gate cap at $96.00. President Gillespie asks to clarify the motion.
- Commissioner Benjamin states why he proposed a $97.00 gate cap and feels it would be going along with the Controller's report. Commissioner Kwok would like to keep it at the $97.00. Commissioner Benjamin motion to increase the gate cap at $97.00 with a flag drop of $1.00. Commissioner Kwok seconds the motion.
- Commissioner Heinicke asks what the time period is for the motion? Commissioner Benjamin responds for two years.
- Commissioner Paek doesn't feel the Commission should base the recommendation solely on the Controller's report and wants to know the consequences of increasing the gate cap.
- Commissioner Benjamin responds it will not be a negative consequence if health care is going to happen. There is no guarantee if health care if feasible and it solely may not come from a gate cap. The increase comes because we are required to increase it, every other year based on the CPI. He explains to Commissioner Paek the process and history of why the gate cap is where is currently is. President Gillespie requests a roll call.

Commissioner Benjamin motions to approve a recommendation to the Board of Supervisors to increase the gate cap to $97.00 and with a flag drop of $1.00, over a two year period. Commissioner Kwok seconds the motion. Motion fails 4-3.

AYES: Kwok; Benjamin; Breslin **NOES:** Heinicke; Paek; Oneto; Gillespie

ABSENT: None **RECUSED:** None

President Gillespie motions to approve a recommendation to the Board of Supervisors to maintain

the current gate cap at $91.50 with no increase to the meter and that subsequent to the completion of the health care task force by May 1st, 2007 to be enacted by July 1, 2007 this Commission make a recommendation on changing the gates and the meter to reflect the consumer price index and other substities. Commissioner Paek seconds the motion. Motion fails 4-3

AYES: Heinicke; Paek; Gillespie **NOES:** Kwok; Oneto; Benjamin; Breslin

ABSENT: None **RECUSED:** None

Discussion ensued, including the following points:

- Commissioner Heinicke suggests not tying the motion to an issue, imposing a time frame would be better and meet somewhere in the middle. Suggests a $94.50 on the gate cap, no change in the meter, signage on gas surcharge, and a time table of six months. President Gillespie states he cannot support a gate increase without a meter increase.
- Commissioner Oneto requests to make a motion to vote on a $95.00 gate and a .75 drop. Commissioner Heinicke would like to know what the flag drop increase should be to go with a $95 gate? Commissioner Oneto explains his calculations by averaging the drops to a shift with the cost of fuel.

Commissioner Oneto motions to approve a recommendation to the Board of Supervisors to increase

the gate cap at $95.00 with a $0.75 increase on the drop for six months. Motion passes 5-2.

AYES: Heinicke; Kwok; Oneto; Benjamin; Breslin **NOES:** Paek; Gillespie

ABSENT: None **RECUSED:** None

8. CONSIDERATION TO ALLOW YELLOW CAB TRUNK ADVERTISING THROUGH DECEMBER 31. [DISCUSSION AND POSSIBLE ACTION]

Discussion ensued, including the following points:

- Director Machen introduces item to the Commission and explains the safety concerns of the advertisements.

PUBLIC COMMENT:

- **Hal Mellegard:** Displays picture of advertisement on the overheard projector. Explains 75 vehicles in the fleet have the advertisements and have been on cabs for over 11 years. Would like the Commission to extend the deadline in respect Clear Channel. Yellow added a 4th brake since the 3rd was being covered and no one has been injured handling the trunks.
- **Nathan Dwiri:** Provides additional background on advertisement signs.
- **Captain O'Neil:**The police department is opposed to these signs and violates the Taxi Commission Rules & Regulations by obstructing the brake light. In my opinion it creates a safety issue.
- **Vice President Breslin:**Asks how long the signs have been up and if they were approved by the Taxi Commission?
- **Captain O'Neil:**No my recollection is a rule prohibiting them.
- **President Gillespie:**Recalls the signs which have come and gone on cabs, but have been modified over the years. Gives options to what the Commission can act upon.
- **George Thomas Williams:**Is aware of drivers who have had problems with the trunk.
- **Jim Gillespie:**Yellow cab got approval by the Highway patrol to install a 4th brake light. Would like to see an extension till December 31 since the safety issues have been addressed.
- **John Rains:**Recalls experience in working with the advertisement signs.

Discussion ensued, including the following points:

- Commissioner Benjamin asks what the Commissions liability if they extended it for the three months.
- City Attorney Tom Owen responds he cannot answer that. We have statuary toward immunity for permitting decisions whether it would

extend to this situation; is too complicated without further analysis.

- President Gillespie does not see any reason to remove the advertisements. Commissioner Heinicke and Commissioner Paek are concerned with the safety hazard raised by Captain O'Neil.
- Vice President Breslin asks Capt. O'Neil if the safety issue was the third brake light that Yellow had corrected. Capt. O'Neil explains he hasn't seen the vehicle himself but is aware they added a 4th light which does address the safety issue. Concerned with visibility and the police would be against it based on principal.
- Commissioner Heinicke suggests the Taxi Detail to investigate the advertisement and come back to the Commission. Thanked the Captain for his time.

Commissioner Heinicke motions to instruct the Taxi Detail to investigate the advertisements and if the determination is made it is a safety violation that the Executive Director be authorized to have it removed immediately and if it is not a safety violation the advertisement be extended till December 31. Commissioner Benjamin seconds the motion. Motion passed 7-0

AYES: Oneto; Paek; Heinicke; Kwok; Benjamin; Gillespie; Breslin **NOES:** None

ABSENT: None **RECUSED:** None

3. PUBLIC COMMENT

- **Tesafya Chuffa:** Speaks regarding his case on his position on the medallion waiting list.
- **Joseph Flesichman:**Speaks on Proposition K and is concerned with rights for long term drivers who receive medallions and suffer disabilities.
- **Liz:** Would like the Commission to address the limousine problem and health care for drivers.

9. ADJOURNMENT

Meeting adjourned at 11:47PM.

Respectfully Submitted,

Jaime Poblitz Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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October 10, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Discussion of the Goldman School of Public Policy Report on the San Francisco Taxicab Industry: Equity Analysis. [INFORMATION & DISCUSSION]
3. Staff Report and Commissioner Announcements [INFORMATION]
4. Public Comment (Please limit public comment to items **not** on the agenda).
5. Consideration of the Consent Calendar. [ACTION]
6. Review of Resolutions under consideration by the Board of Supervisor's Finance and Budget Committee modifying the Controller's recommendation on Gate and Meter Rates. [DISCUSSION & POSSIBLE ACTION]
7. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the September 26, 2006 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Leandro Osorio Asercion	Jagdev S. Bhullar	Ivan S. Davydov
John Patrick Devine	Nnamdi Jideofor Egu	Michael Jay Feeney
Philo Hagen	Ye Kyaw Htoo	Changli Huang
Timothy Patrick McCabe	Gebru Walga Mhiretu	Mark Mo
Elissandro Pinheiro Neves	Bryan Northam	Andemariam G. Ogbu
Martin Rosman	Deepinder Singh	Khaled Hassan Sioudy
Vincent Tom	Anye Benard Tuma	Bogdan Viner
Philip Wong	Eyob Getachew Woubneh	Ermias Abera Yae
Asrat Misgun Yemane		

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. Vad Shamis (Ramp)	9008	B & W Checker Company
2. Ibrahim Awwad (Ramp)	9036	Luxor Cab
3. Rizal Sofian (Ramp)	9017	Luxor Cab
4. Virginia C. Fuquay*	227	Yellow Cab Co-Op
5. Eugene Shu**	275	Union Cab

** See Staff Memo*
***Continued from September 12th & 26th, 2006.*

D. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	**List #:**
1. Dean Najdawi	6-560

E. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	Luxor Taxi
Medallion #'s:	232
Duration of Campaign:	10/14/06 – 11/12/06
Advertiser:	Alcatraz Cruises– Clear Channel

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the October 24, 2006 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**List #:**
1. Richard N. Sprang	6-429

B. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	**List #**
1. Ciro Matarazzo	6-011

C. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	**List #:**
1. Philip Lo	6-575
2. Alice D. Mack	6-576
3. Fontaine Lai	6-577

D. Consideration of Taxi Commission to grant Grasshopper Taxicab exceptions to the vehicle standards contained within 4 A.8 and to place a previously used vehicle into service*:

1. Mileage: Applicants vehicle has 190,000 miles.
Current rule San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4 A. 8 (c), states no vehicle may be placed into service with more than 60,000miles.

2. Camera: Applicant requests to not place a security camera in vehicle.
Current rule San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 5.C.34, states all Taxicabs/Ramped Taxicabs shall be equipped with an approved operational security camera.

3. Paint Job/Camera Inspection: Applicant would like approval for inspection without a paint job and the installation of security camera

**Please note that this is the vehicle which the applicant had intended to operate as a spare.*

E. Commission Request to Calendar

President Gillespie	**Date of Request**	**Planned Hearing Date**
Paratransit Issues	August 8, 2006	October 24, 2006
Driver Health and Public Safety Hearing	August 8, 2006	November 14, 2006
PC & N Hearing and Service Hearing	August 8, 2006	December 12, 2006
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	November 14, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Request to calendar consulting with DPT on expediting the process	September 26, 2006	

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on placing the approved Macy's Taxi Stand.		
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	
Commissioner Paek	**Date of Request**	**Planned Hearing Date**
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	November 28, 2006
Commissioner Heinicke	**Date of Request**	**Planned Hearing Date**
Request to calendar a hearing to discuss recommending to the Board of Supervisors a plan for incentives for purchasing alternative fuel vehicles and an analysis what the savings are for drivers and taxi companies.	September 26, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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Taxicab Commission

October 10, 2006

MINUTES

Commission Chambers - Room 400
City Hall,1 Dr. Carlton B. Goodlett Place
October 10, 2006
6:30PM
Regular Meeting

Present: Gillespie; Breslin; Benjamin; Paek; Oneto; Heinicke
Absent: Kwok

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PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:33 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz - Taxi Commission, Lt. Jeanne Scholtz, Captain Thomas O'Neil- Taxi Detail, Tom Owen- City Attorney

1. ROLL CALL - Roll Call showed a quorum was present.

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2. DISCUSSION OF THE GOLDMANSCHOOL OF PUBLIC POLICY REPORT ON THE SAN FRANCISCOTAXICAB INDUSTY: EQUITY ANALYSIS. [INFORMATION & DISCUSSION]

- **Executive Director, Heidi Machen** introduces Deborah Lamb, Karen Leong, John Lymon, Starr Terrell, and Rick Wilson from the Goldman School of Public Policy at UC Berkeley to give a presentation on their report. Presenters provide overview and summary on the Equity Analysis to the Commission.

Discussion ensued, including the following points:

- Commissioner Heinicke inquires on the revenue and debit serving costs. Rick Wilson responds they factored into account the political and legal feasibility on transferability and explains the source of revenue for the city; from a public auction. Commissioner Heinicke said he has concerns of having a barrier of entry and finance costs to working drivers.
- Commissioner Benjamin praises the students for their work and feels the Commission is limited in doing anything with the report.
- Commissioner Breslin questions the process of calculating the driver income whether or not it included tips. Presenters responded they used data from a 2004 driver survey and the Controller's report. Commissioner Breslin raises the issue of the lack of customer service data and the factor that current medallion holders would not be able to bid at an auction. Presenters responded that data was not available on customer service and medallion holders could turn back their medallion to the city to bid. Commissioner Breslin suggests dividing groups into Pre-prop K and post-prop K since one group paid for their medallions and adding miscellaneous expenses drivers pay

such as maintenance into account.

- President Gillespie inquires who would oppose the issue. Commended the students on the report.
- Commissioner Heinicke raises the point if customer service would be affected. Presenters respond incentives could be used to go to outer lying areas but feels that service would not be affected. President Gillespie explains that no hearings or committees are considering this currently. Commissioner Heinicke suggests the Commission should act as a task force and have a series of hearings after discussing with the Mayor or Board if they are interested.

PUBLIC COMMENT:

- **The following people spoke in favor of the Goldman school report:** Charles Rathborne, John Nakis, Barry Taranto, Carl MacMurdo, Michael Spain, Jim Gillespie, Tesfaya Chuffa.
- **The following points were made:** Suggestions of having an exit strategy for individuals who can no longer drive & a creation of a task force, city can provide more medallions and more revenue, money can be used for health care for drivers, the current medallion system does not promote a entry strategy for young drivers.

- **The following people did not take a position and found issues not addressed in report:** Saam Aryan, Alec Kaplan, Art Lembke, Thomas George-Williams, Jane Bolig, Norma Geer, Mark Gruberg.
- **The following points were made:** More studies need to be completed, the Commission should look into renting out medallions, companies will have to compete for medallion holders and customers, report excludes a exit strategy for drivers, the report does address those who waited to receive a medallion and those waiting on the list currently, and the transferability will not correct the unfair economics of the industry but will provide a rationale for it.

- **The following people are not in favor of the Goldman school report:** Emile Lawrence, Bill Mounsey, Christopher Fulkerson, Tariq Mehmood, Ruach Graffis.
- **The following points were made:** Corruption is widespread in the industry, taxi drivers cannot get huge loans, the present medallion system works well, public safety is a concern, non-taxi drivers would come into the industry, and continuous debit would be created for drivers.

3. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS [INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent.
- **Captain O'Neil** gave an update on illegal limousine enforcement including activity at the airport and the training video distribution at district stations.
- **Commissioner Heinicke:** Requests an update on the Yellow cab advertisement's that were discussed at the last Commission hearing. Captain O'Neil responds that the advertisement comports with the law.
- **Vice President Breslin:** Requests a report on the percentage of illegal limousine violations at hotels. Captain O'Neil states he will provide a more comprehensive report at the next hearing Commissioner Breslin requests a list of hotels that were selected for the 2007 PC&N survey by the Commission office.

COMMISSIONER ANNOUNCEMENTS:

- Vice President Breslin comments on the Safety hearing in November and requests outreach to the public and have speakers from outside organizations and groups.

PUBLIC COMMENT:

- **Charles Rathborne:** Complains on the presentation done by President Gillespie and Director Machen to the Budget and Finance Committee, feels that they did not represent the Commission's position.
- **Mark Gruberg:** Feels Director Machen did represent the position of the Commission but President Gillespie testified his own position which is his right. Comments on enforcement of illegal limos.
- **Jane Bolig**: Thanked the Taxi Detail for the work they do.
- **Carl MacMurdo:** Agrees with Charles Rathborne on the representation of the Commission at the Budget hearing. Thanked the Taxi Detail for their work and time spent at the Commission hearings.
- **Barry Taranto:** Comments on the speaker card system and feels it creates order at the hearing. Request copies of letters to hotels before the PC&N. Comments on the meeting with Nathaniel Ford and Director Machen.
- **Alec Kaplan:** Comments on a personal incident with a limousine.
- **Michael Spain:** Comments on the Budget and Finance Committee hearing presentation.
- **Ruach Graffis:** Comments on the Budget and Finance Committee hearing presentation and enforcement of limousines.
- **Art Lembke:** Feels the President should have only presented what the Commission agreed upon.
- **Thomas George-Williams:** The President must present the decision of the Commission.

4. **PUBLIC COMMENT**

- **Charles Rathborne:** Gives profit history as a taxi driver.
- **Barry Taranto:** Comments on the inaccessible cab stand at the Oracle event. Urges the Commission to mend the rift between the Taxi Detail and the Taxi Commission office.
- **Christopher Fulkerson:** Comments on salary and unaffordable health care costs for drivers.
- **Tesfaya Chuffa:** Argues to the Commission his position on the medallion waiting list.
- **Thomas George William:** Feels companies are threatening to move into long term leases because it is not regulated by the city and the Commission needs to put the issue on the agenda.
- **Bill Mounsey:** Comments on long term leases and would like to know what the law is.
- **Emile Lawrence:** Discusses an LA Times article from Sept. 25, 2006 on problems related to the industry. Notes on the taxi industry corruption in New Orleans.
- **Michael Spain:** Gives history of the cab industry in relation to Proposition K.
- **Art Lembke**: Feels the UTW does not speak on behalf of taxi drivers and comments on rate and gate fee.
- **Mark Gruberg**: Comments on the issue of long term leases and feels drivers would be put out of work.
- **Tariq Mehmood:** Feels ownership of medallions should be limited to

only 4 years and requests a sign to be placed at the airport stating the different fees between taxis and shuttles.

5. **CONSIDERATION OF THE CONSENT CALENDAR [ACTION]**

Discussion ensued, including the following points:

- Director Machen gives recommendation to the Commission to sever Item C4 & C5.
- Vice President Breslin requests to comment on the minutes and notes on Mr. Chuffa's case; would like to see the medallion list of ramp applicants.
- President Gillespie feels Mr. Chuffa's case does not relate to the applicants who are receiving medallions tonight.
- Commissioner Benjamin is recused on C2 & C3. President Gillespie is recused from Item C4.

PUBLIC COMMENT:

- **Tesfaya Chuffa:** Believes Abrahim Awwad was behind him on the list yet got a medallion before him.
- **Carl MacMurdo:** Comments on C2 and feels Mr. Awwad is deserving applicant, also feels Mr. Chuffa is entitled to the next medallion. Mrs. Fuquay is a working taxi driver and only made mistakes on filling out her waybills.
- **Christopher Fulkerson:** Comments on the minutes and would like the public comment to be at the beginning of the meeting and not have the order of the agenda switched.
- **Jim Gillespie:** Comments on Item C4 and requests the Commission to conduct a more objective investigation by the Taxi Detail.
- **Thomas George-Williams:** Comments on Item C4 and recommends the Commission to look into her case and not approve Item C5.
- **Vice President Breslin:** Notes changes to the minutes; pg. 4 under D., believes the Commission has established guidelines on timewaivers, and pg. 8, I motioned for a gate around a $95-96 dollar range.

Commissioner Oneto motions to approve the Consent Calendar. Commissioner Paek seconded the motion. Motion passes 6-0.

AYES: Gillespie; Oneto; Paek; Benjamin; Heinicke; Breslin **NOES:** None
ABSENT: Kwok **RECUSED:** None

A. *Minutes Approved for the September 26, 2006 Taxicab Commission Meeting.*

B. *Approved Public Passenger Vehicle Driver Permit(s):*

Leandro Osorio Asercion	Jagdev S. Bhullar	Ivan S. Davydov
John Patrick Devine	Nnamdi Jideofor Egu	Michael Jay Feeney
Philo Hagen	Ye Kyaw Htoo	Changli Huang
Timothy Patrick McCabe	Gebru Walga Mhiretu	Mark Mo
Elissandro Pinheiro Neves	Bryan Northam	Andemariam G. Ogbu
Martin Rosman	Deepinder Singh	Khaled Hassan Sioudy
Vincent Tom	Anye Benard Tuma	Bogdan Viner
Philip Wong	Eyob Getachew Woubneh	Ermias Abera Yae

C. *Approved Taxicab or Ramp Taxicab Medallion Holder Permit to:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Vad Shamis (Ramp)	9008	B & W Checker Company

D. *Approved list of Applicant Name(s) who are ineligible for a* ***Ramp*** *Taxicab Medallion per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:
1. Dean Najdawi	6-560

E. Approved Taxi Wrap Color Scheme for:

Color Scheme:	Luxor Taxi
Medallion #'s:	232
Duration of Campaign:	10/14/06 - 11/12/06
Advertiser:	Alcatraz Cruises- Clear Channel

Discussion ensued, including the following points:

- Commissioner Heinicke would like to know the status of Mr. Chuffa's case.
- City Attorney Tom Owen states it is not the appropriate time to discuss Mr. Chuffa's case.
- President Gillespie will get a written memo from the Police Department and the Taxi Commission of the results of the hearing and the reinstatement to the taxi medallion list.

Commissioner Heinicke motions to approve Item C2 & C3 on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 5-0.

AYES: Gillespie; Oneto; Paek; Heinicke; Breslin; **NOES:** None
ABSENT: Kwok
RECUSED: Benjamin

C. *Approved Taxicab or Ramp Taxicab Medallion Holder Permit to:*

Medallion Holder:	Medallion #:	Change:
2. Ibrahim Awwad (Ramp)	9036	Luxor Cab
3. Rizal Sofian (Ramp)	9017	Luxor Cab

Discussion ensued, including the following points:

- Director Machen comments on the memo in the packet which states the discrepancies with the waybills and informs the Commission of the shortage hours for Virginia Fuquay.
- Commissioner Oneto notes that even if the Commission accepts the waybills the applicant's hours still fall short of qualification.
- Nathan Dwiri states the applicant falls short of 19 waybills in 2004. Director Machen notes the applicant completed 769 hours in 2005, and 843 hours in 2006; which falls short 31 hours.
- Commissioner Heinicke notes the applicant does not meet the driving requirement. Vice President Breslin asks if shifts were counted. Director Machen responds the waybills were counted by hours.
- Commissioner Heinicke requests to continues Item and have staff count waybills in shifts.
- .

Commissioner Heinicke motions to continue Item C4 on the Consent

Calendar. Commissioner Benjamin seconded the motion. Motion passes 5-0.

AYES: Oneto; Paek; Heinicke; Breslin; Benjamin **NOES:** None
ABSENT: Kwok **RECUSED:** Gillespie

C. *Continued till October 24, 2006*

Medallion Holder:	Medallion #:	Change:
4. Virginia C. Fuquay*	227	Yellow Cab Co-Op

Discussion ensued, including the following points:

- Lt. Jeanne Schlotz gives report on investigation of applicant Eugene Shu. Recommends to deny the applicant and feels he did not drive the past two years.
- Commissioner Heinicke inquires on the penalty for submitting false waybills? Lt. Schlotz replies the only recourse is he doesn't get the medallion.
- Eugene Shu explains his family is in the taxi industry; he only stopped driving in 2001 and returned in 2004. The waybills were filled out at the end of the shift which explains the discrepancies and I drove the hours.
- President Gillespie and Commission Heinicke both view case as a falsification of waybills and request to deny application.

Commissioner Heinicke motions to deny Item C5 on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 6-0.

AYES: Oneto; Paek; Heinicke; Breslin; Benjamin; Gillespie **NOES:** None
ABSENT: Kwok **RECUSED:** None

C. *Denied Taxicab or Ramp Taxicab Medallion Holder Permit to:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
5. Eugene Shu	275	Union Cab

6. REVIEW OF RESOLUTIONS UNDER CONSIDERATION BY THE BOARD OF SUPERVISOR'S FINANCE AND BUDGET COMMITTEE MODIFYING THE CONTROLLER'S RECOMMENDATION & GATE METER FEES. [DISCUSSION AND POSSIBLE ACTION]

Discussion ensued, including the following points:

- Vice President Breslin comments on a typo under President Peskin's resolution the gate cap should be $95.00.
- Director Machen introduces Item to Commission.

PUBLIC COMMENT:

- **Michael Spain:** Feels insurance is an issue that taxi companies are facing.
- **Art Lembke:** Cab companies will have to go to a long term lease unless they get a meter increase; would like a dollar drop.
- **Carl MacMurdo:** The Commission made a recommendation and should reiterate the resoluation rather than respond to something different.
- **Jim Gillespie:** Concerned with the $85.00 gate proposal and the affect it would have on companies.
- **Christopher Fulkerson:** Would like a gas surcharge for drivers.

- **Mark Gruberg:** Provides economic numbers to the Commission in relation to worker's compensation which cab companies are saving money on.
- **Ruach Graffis:** Discusses cab company profits
- **Tariq Mehmood:** The public and taxi drivers are not happy with a meter increase.
- **Thomas George-Williams:** Drivers are getting overcharged we need enforcement from the Commission.

Discussion ensued, including the following points:

- Commissioner Heinicke feels the Commission already made a recommendation to the Board and he would like not to revisit the proposals. Suggests the Commission provide some expert guidance to the Board in dealing with the two policies. The Commission has made a recommendation and these are our concerns 1) The Board and Committee need to understand that the timeline they set with sunsets is ambitious 2) There is no sunseting in the fuel charge in Supervisor Peskin's proposal and a build in review mechanism needs to be in place in case fuel prices come down 3) Suggests if the Controller is the appropriate entity to certify a health plan 4) Both proposals by the Supervisors memorialize what they feel is the current gate cap; they should be aware of threat of lawsuit.
- President Gillespie and Vice President agree with Commission Heinicke's points. President Gillespie responds to the public's comments on his position presented to the Budget Committee. Vice President Breslin and Commission Heinicke comment to President Gillespie's presentation to the Budget Committee and both feel that as the President of the Taxi Commission, he needs to represent the Commission and set personal views to the side.
- Vice President Breslin inquires to Director Machen on the order of certification by the Controller if it's after the Board votes? Director Machen responds it goes to the point of the timeline and the particular language whether the city has adopted a health care program for drivers, so it begs the question who is the city.
- Commissioners agree that the Board of Supervisors should be reminded of the Commission's previous position of the gate and meter rate resolution passed last hearing.

Commissioner Heinicke motions to approve a recommendation to the Board of Supervisor's Finance and Budget Committee to go forth with previous recommendation of a gate cap at $95.00 with a $0.75 increase on the drop for six months along with the following four points to be presented through the Executive Director at the Budget Committee Hearing:

1) If a fuel surcharge is imposed, a sunset of that should be considered.
2) The Commission would like the Supervisor's to understand the potential legal and industry wide implications if they adopt a resolution referring to $85.00 as the current gate cap.
3) Timeline of six months is ambitious for the City to "adopt" plan given the Taxi Commission only intends to forward the plan at that point.
4) Is the Controller the entity we want certifying whether a health plan has been adopted or how else can we bench mark that process.
Commissioner Oneto seconded the motion. Motion passes 6-0.

AYES: Heinicke; Paek; Gillespie; Oneto; Benjamin; Breslin **NOES:** None

ABSENT: Kwok **RECUSED:** None

7. ADJOURNMENT
Meeting adjourned at 11:02 PM.

Respectfully Submitted,

Jaime Poblitz Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

October 24, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Paratransit Issues. [DISCUSSION]
3. Staff Report and Commissioner Announcements [INFORMATION]
4. Public Comment (Please limit public comment to items **not** on the agenda).
5. Consideration of the Consent Calendar. [ACTION]
6. Consideration of Resolution authorizing Executive Director to ask Mayor's Budget office to reallocate funds for outreach. [DISCUSSION & POSSIBLE ACTION]
7. Adjournment

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Taxicab Commission Agenda - Regular Meeting
October 24, 2006, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the October 10, 2006 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Bahman Alison	Ali Asghar	Khosrow Alizadeh
Mehreteab Berhanykun Araya	Jurandir Batista De Souza	Lazhar Belkadi
Abbas Biabani	Daniel De Almeida Bisneto	Perry Michael Brandon
Heristal Alves Castro Jr.	Mohamed R.H. Cherif	Bella De Barros
Alex Epelbaum	Minjigdorj Erdenekhuu	Romilson Eterno Dos Santos
Elias Medeksa Folle	Iyad Ibrahim Hadeed	Ashebier Haye Gebreselassie
Mazen S. Juhar	Nasir Ali Khan	Sher Ali Khan
Ricky Kumar	Darren Edward Lavigne	Francisco Ramon Montemayor
Mario Queiroz Neto	Lusmar Silva Neto	Nick Nana Nketiah
Susan Oak	Ko Ko Oo	Narinder S. Pathak
Hank D. Quan	Marcello Luiz Ribeiro	Ademilson Silva Rodrigues
Abderrahim Saad	Aladdin M. Salah	Charles H. Schoellenbach
Nagwa Sherpa	Kulbir Singh Sidhu	Kuldip Singh
Tin Soe	Andre Emanual Stafford	Nguu The Tat
Fitsum G. Bocru	Francisco Aires Da Silva	Soon Sein Hoe
Adil Imam	Fasil Lemma	Abdullah Loinab
David Arnold Long	Nikoli Michael Malik	Fabiano Honorio Mariano
Yohanes Melaku	Elsiddig Adam Mohamed	Hussein Abdulla Mohamed
Umesh Rai	Milan Rana	Jevgenijs Romanovskis
Orlando Oliverio Ruiz	Charanjit Singh	Nirmaljit Singh
Tefera Tesema	Fan Yang	Ben Li Yu
Naing Win Tun	Aliaksandr Zhyhalau	

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**
1. Richard N. Sprang	297	Luxor
2. Virginia C. Fuquay*	227	Yellow Cab Co-Op

**Continued from October 10, 2006.*

D. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	**List #**
1. Ciro Matarazzo	6-011

E. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2):

Applicant Name(s):	**List #:**
1. Philip Lo	6-575
2. Alice D. Mack	6-576
3. Fontaine Lai	6-577

F. Consideration of Taxi Commission to grant Grasshopper Taxicab exceptions to the vehicle standards contained within 4 A.8 and to place a previously used vehicle into service as a spare:

1. Mileage: Applicants vehicle has 190,000 miles.
Current rule San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4 A. 8 (c), states no vehicle may be placed into service with more than 60,000miles.

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2. Camera: Applicant requests to not place a security camera in vehicle.
Current rule San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 5.C.34, states all Taxicabs/Ramped Taxicabs shall be equipped with an approved operational security camera.

3. Paint Job/Camera Inspection: Applicant would like approval for inspection without a paint job and the installation of security camera

G. Consideration of the Taxi Commission to Revoke the following Taxicab Medallion Holder Permits from the following Permit Holders for Non-Payment of the Permit Fees:

Permit Holder Name:	Medallion Number:	Color Scheme:	Amount Due:
1. John V. Donnelly	859	WorldWide Cab	$621.50
2. William P. Jones	862	WorldWide Cab	$621.50
3. Keith Raskin	1137	WorldWide Cab	$621.50

H Consideration of the Taxi Commission to Revoke the Color Scheme Permit or Radio Dispatch Permit from the following Permit Holders for Non-Payment of the Permit Fees:

Color Scheme/Dispatch Company:	Account Number:	Delinquent Amount:
1. WorldWide Cab	3037	$1299.00
2. Union Cab	3042	$2988.68

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the November 14, 2006 hearing.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. Martin B. Smith	713	Big Dog to Delta Cab
2. Mizan Rahman	1113	Luxor Cab to Yellow Cab

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. John Vo	6-435

C. Consideration of the Taxi Commission to reinstate medallion wait list number to:

Applicant Name(s):	List #:
Leon Trung Le	6-416

D. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s):	List #:
1. Eugene Shu	6-426

E. Consideration of the Taxi Commission to grant a Time Waiver to the following applicant:

Applicant Name(s)	List #
1. Klara Dorman	6-431

F. Commission Request to Calendar

President Gillespie	Date of Request	Planned Hearing Date
Paratransit Issues	August 8, 2006	October 24, 2006
Driver Health and Public Safety Hearing	August 8, 2006	November 14, 2006
PC & N Hearing and Service Hearing	August 8, 2006	December 12, 2006
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	November 14, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	

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Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Request to calendar consulting with DPT on expediting the process on placing the approved Macy's Taxi Stand.	September 26, 2006	
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	
Commissioner Paek	**Date of Request**	**Planned Hearing Date**
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	November 28, 2006
Commissioner Heinicke	**Date of Request**	**Planned Hearing Date**
Request to calendar a hearing to discuss recommending to the Board of Supervisors a plan for incentives for purchasing alternative fuel vehicles and an analysis what the savings are for drivers and taxi companies.	September 26, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Taskforce, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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Taxicab Commission

October 24, 2006

MINUTES

Commission Chambers - Room 400
City Hall,1 Dr. Carlton B. Goodlett Place
October 24, 2006
6:30PM
Regular Meeting

Present: Gillespie; Breslin; Benjamin; Kwok; Oneto; Heinicke
Absent: Paek

PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:33 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Jaime Poblitz - Taxi Commission, Captain Thomas O'Neil- Taxi Detail, Tom Owen- City Attorney

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1. ROLL CALL - Roll Call showed a quorum was present.

2. PARATRANSIT ISSUES. [DISCUSSION]

- **Executive Director, Heidi Machen** introduces Annette Williams from Muni Accessible Services, Stu Smith, and Jean Lynch from the Paratransit Coordinating Council to give a presentation on paratransit issues. Presenters provided overview and history of the paratransit system in San Francisco to the Commission.

Discussion ensued, including the following points:

- President Gillespie inquires on total number of trips and if other counties are utilizing paratransit for taxis. Annette Williams responds that in the future they are looking at an increase in taxi trips but not as much as the increase seen in the late 90's. Other cities have programs but in terms of the ADA paratransit systems, there is not a lot of use. Ms. Williams gives comparison to the fee per trip cost of taxis, at $11.33 compared to group/individual vans which are much higher.

PUBLIC COMMENT:

- **Jackie Sachs:** Feels the Paratransit Broker's office should sell fast passes to individuals.
- **Dan Hines:** Feels that taxi stands are extremely cost effective and taxi service should be expanded.
- **Mark Soto:** Speaks on the satisfactory survey on taxi paratransit service which was at 98%.
- **Tom Stanghellini:** Speaks on the need for the debit card program.
- **HansuKim:** Speaks in opposition on behalf of all the major companies, MHA, UTW, and SFTA as a authorized representative in regards to the debit card proposal before the city.
- **Bruce Oka:** Feels the debit card program should be in place and will decrease fraud
- **Vice President Breslin:** Comments on the absence of Commissioner Kwok and states he will be arriving.
- **Bill Mouwsey:** Comments on the issue of fraud and people misusing scrip; believes bigger companies should only have the ramp taxis.
- **Barry Taranto:** Believes Muni needs to act upon the debit card program and

smaller companies are not being accounted for ramp van service. Suggests a survey be done on ramp medallion holders.

- **Robert Cesana:** Believes the Taxi Commission should reduce overall cost down for the aging population and stop subsidizing the paratransit industry with the taxi industry.
- **Laurie Graham:** Speaks on incentives to ramp taxi drivers and her experience as a ramp driver.
- **Alec Kaplan:** Proposes that the Commission prohibit ramp vans from the airport unless the request is for someone who is disabled.
- **Peter Witt:** Commends Commissioner Heinicke on his service and comments on his taxi survey.
- **Tesfaya Chuffa:** Gives suggestion to paratransit office they should have a faster paperwork process for customers.
- **Cheryl D:** Comments on the ramp taxi proposal of extra training to drivers from two hours to four hours.
- **Thomas George Williams:** UTW supports the proposed four hour training and getting a debit card program.
- **Roger Ray:** Feels extra training is needed for ramp taxi drivers in counting education. Comments on the survey conducted on ramp vans at the airport, showing abuse only by a minority of ramp vans.
- **Tariq Mehmood:** Feels that all ramp medallions should be held at big companies and believes that fraud is a big problem affecting paratransit.
- **EdBurke:** President of GPS Datasolutions, gives update on the debit card program.
- **Mark Gruberg:** Feels that many drivers are not taking paratransit rides and companies should give incentives to ramp drivers for those pick-ups.
- **Mark Soto:** Give status update on compliance of companies to the Commission.
- **Commissioner Heinicke:** Inquires if wait times are higher for paratransit riders.
- **MarkSoto:** Our experience in paratranit is no different than the regular community, they are competing with the general public for service.
- **Michael Spain:** Provides history of taxi/paratransit funding.
- **Carl MacMurdo:** Comments on MHA's position on the debit card contract.
- **Anaperla Aureolas:** Feels the Commission needs to address the issue of drivers who do not take service dogs for the disabled due to religion issues.
- **Ruach Graffis:** Agrees the Commission needs to address the issue of religion vs. people with service animals. Comments on the need for BART station drops for disabled riders.

Discussion ensued, including the following points:

- Mark Soto gives follow up comments on fraud and what Paratransit is doing on the issue; provides the fraud hotline: 1-877-477-2747.
- Commissioner Heinicke feels the debit card program needs to be acted upon, which would stop fraud.
- Commissioner Benjamin and Commissioner Heinicke request an update on where the debit card program is today.
- Director Machen offers to produce a memo to the Commissioners on a timeline and summary of the debit card program.
- Commissioner Kwok gives overview of the issues affecting the paratransit system and riders.
- Vice President Breslin expresses the overall issues raised by the public on paratransit which feels the Commission need to take positions on; the debit card program, training, penalties on scrip refusal, incentives for drivers, BART station drops, and standards for companies for having ramp taxis.
- Commissioner Heinicke feels the main issue affecting paratransit and the general public is availability for taxicabs. Inquires if the Commission can change the requirement for receiving a ramp medallion.
- City Attorney Tom Owen explains it can be discussed later. Director Machen explains the 100 pickup rule in the year preceding the issuance of a ramp medallion. PCC & Muni have proposed a pre-screening for drivers up for a

medallion.

- Commissioner Heinicke asks the current method of enforcing the pick up per shift rule. Capt. O'Neil gives briefing on the Taxi Detail's methods.
- President Gillespie comments on the fact that San Francisco is a model for the Paratransit system and thanked the public and presenters for attending the hearing.

6. CONSIDERATION FOR RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO ASK MAYOR'S BUDGET OFFICE TO REALLOCATE FUNDS FOR OUTREACH. [DISCUSSION & POSSIBLE ACTION]

- **Executive Director, Heidi Machen** introduces the item to the Commission.
- **Commissioner Heinicke**inquires on what money are we requesting and how much.
- **Director Machen** explains the breakdown has not been made for the cost to conduct the PC&N survey, nor has the data been assessed on the Health Care Working Group survey. This resolution allows the office to work within the boundaries of the Budget on where the funds can be directed. This money is a carry over from last year's budget so it is unutilized funds.
- **Vice President Breslin** inquires on the special fund.
- **Director Machen** responds the $40,000 within the drivers fund could be a used for the Driver Health Care program if the Commission wishes to do so.

PUBLIC COMMENT:

- **Robert Cesana:** Does not want the survey to be conducted by the Taxi Commission staff and wishes it be done independently.
- **Peter Witt:** Speaks to the Commission on the survey he conducted to the public.
- **Michael Spain:** The Medallion Holder's Association has an issue with the survey that would poll the drivers on the health care plan and feel the poll may not be independent.

Discussion ensued, including the following points:

- Vice President Breslin would like the Commission to approve the questions and procedures that will be used for the PC&N survey. States to the public the PC&N hearing will not be next month but in February 2007.
- Director Machen states should this Commission want to survey the drivers we are trying to roll that into the driver's A-card renewal which will begin in December of this year. Provides the Commission with methodology that the surveys will be based on using the Schaller report as a guideline.
- Director Machen would like to schedule for the next meeting approval of the questions for PC&N and the Health Survey.
- Vice President Breslin suggests amending the resolution stating the funds are from carryover funds and not taking away from the driver fund or the hiring an officer in Taxi Detail.
- Director Machen comments she is working closely with Taxi Detail in hiring for the sergeant position and agrees with the amendment made by Commissioner Breslin also suggests an additional amendment, to include the line item in the current budget for the $25,000 to the contract specialist for the PC&N survey and include that for a portion of funds to look to.

Commissioner Heinicke motions to approve the Resolution 2006-111 with the following amendments authorizing Executive Director to seek reallocation of carry over and previously reserved PC&N survey funds in addition with the direction to staff to present the survey and distribution proposal and the approval of the Commission to conduct the survey. Commissioner Kwok seconded the motion. Motion passes 6-0.

AYES: Gillespie; Oneto; Kwok; Benjamin; Heinicke; Breslin **NOES:** None
ABSENT: Paek **RECUSED:** None

3. STAFF REPORT AND COMMISSIONER ANNOUNCEMENTS [INFORMATION]

- **Executive Director, Heidi Machen** gave an update on the meetings she attended and correspondence received and sent.
- **Captain O'Neil** provides update on enforcement issues on behalf of the Taxi Detail.
- **Commissioner Benjamin:** Requests to calendar a resolution to waive the meter inspection fee for companies due to the meter increase on November 1st.
- **Director Machen:** Agrees the re-inspection fees be waived, also suggests the inspections be carried over to the following year since the inspection for this year closed out October 11th or we can ask weights and measures to accept a letter from the certified meter adjuster.
- **Commissioner Heinicke:** Agrees with Director Machen and would like a recommendation made to the Commission.
- **President Gillespie:** Commends Jaime Poblitz for her work done at the Commission. Requests to close meeting in memory of Musharaf Poswal and Rob Logan.
- **Vice President Breslin:** Requests her fellow Commissioners to review Mr. Chuffa's case.
- **Commissioner Heinicke:** Comments on citation information provided by SFO. Welcomes Jordanna Thigpen to the Taxi Commission.

PUBLIC COMMENT:

- **Tesfaya Chuffa:** Comments on personal case.
- **Robert Cesana:** Feels Director Machen should have presented the four amendments made by the Commission to the Budget Committee in public and not in private.
- **Barry Taranto:** Feels the proposed taxi stands for Halloween are not driver friendly and need to change. Feels companies are responsible for shift changes and thanked Jaime Poblitz for her service to the Taxi Commission.
- **Alec Kaplan:** Commends the Taxi Commission staff for their hard work.
- **Michael Spain:** Comments on the Budget Committee hearing.
- **Thomas George Williams:** Feels the Commission needs to enforce the $91.50 gate fee since companies are overcharging. Gives condolences to Mr. Poswal's family.
- **Jim Gillespie:** Commends the Commission for trying to waive the meter inspection fees would like the process expedited.
- **Steven Conrad:** Comments on illegal limousines and is representing Ciro Matarazzo.
- **Mark Gruberg:** Displays letter that was sent to medallion holders to attend the Budget Hearing.
- **Emile Lawrence:** Discusses overcharge gate fees that drivers are charged.
- **Ruach Graffis:** Feels Mr. Poswal's family may be eligible for worker's compensation death benefits; if not, the family can sue Yellow cab for wrongful death.
- **Tariq Mehmood;** Thanked Jaime Poblitz for her service to the Taxi Commission, agrees companies should not have to pay for meter re-inspection fees.

Discussion ensued, including the following points:

- Commissioner Heinicke comments on the concerns raised by Jim Gillespie. Director Machen comments it takes almost a year to complete inspections for the entire fleet and cannot be done during the two month window of time but our office will do what we can.
- Commissioner Heinicke requests Director Machen to call and contact weights and measures.

4. **PUBLIC COMMENT**

- **Tesfaya Chuffa:** Feels President Gillespie is not taking a leadership position on helping out with his case.
- **Carl MacMurdo:** Requests Commission staff to provide more public packets to the public.

- **Director Machen:** Comments the public is welcome to the office to pick up packets at cost from the Commission prior to the meeting and we have two public binders with the packets on the table.
- **Barry Taranto:** Agrees the public should have copies of the packets, announces the exotic erotic ball is this weekend, and thanked Commission staff for providing information on the Oracle event but feels the stands are in-accessible.
- **Emilie Lawrence:** Speaks on retaliation by companies for speaking at Commission hearings.
- **Jim Gillespie:** Provides condolences to Mr. Poswal's family and comments on shift changes outside of the property.
- **Alec Kaplan:** Would like a minimum number for packets for the public and comments on shift changes.
- **Robert Cesana:** Comments on the lack of a proper taxi stand at Moscone Center.
- **David Pilpel;** The Director of Taxi Commission has the authority to reallocate funds within the Budget as long as it does not increase the total amount.
- **Jackie Sachs:** Feels a camera should be installed at Sutter & Powell to monitor cab drivers making a right hand turn on a red who are not yielding to pedestrians.
- **Michael Spain:** Comments on the Budget Committee hearing and the illegal limousine issue.
- **Mark Gruberg:** Commends Jaime Poblitz on her work at the Taxi Commission and urges the Commission to utilize administrative penalties to operators of vehicles performing taxi services.
- **Tariq Mehmood:** Commission needs to investigate those who get fired for speaking at the Taxi Commission hearing.
- **Thomas George Williams:** A letter should be sent out to all companies stating they cannot charge over $91.50, please enforce the gate cap.
- **Cory Lamb:** Comments on Mr. Poswal's passing and the importance for drivers to follow the rules.

5. CONSIDERATION OF THE CONSENT CALENDAR [ACTION]

Discussion ensued, including the following points:

- Director Machen gives recommendation to the Commission to sever Item C & F. Gives recommendation for Item G & H, not to revoke the permits because the fees have been paid.

PUBLIC COMMENT:

- **Jim Gillespie:** Comments on Item C2 and provides summary to Commissioners.
- **Robert Cesana:** The Commission promised to have a discussion on how to properly fill out waybills and guidelines need to be issued.
- **Thomas George Williams:** Believes applicant C2 has not driven and feels the applicant should not get the medallion.
- **Steven Conrad:** Speaks on Item D and feels the applicant has been a long time driver and should not be removed.
- **Alec Kaplan:** Comments on Item F.
- **Emile Lawrence:** Comments on Item C2 and feels it is the Commission's duty to investigate fraud.
- **Tesfaya Chuffa:** Comments on fraud in the industry.
- **Carl MacMurdo:** Speaks on item C2 and feels Virginia Fuquay has been a long term driver and deserves a medallion.
- **Tariq Mehmood:** Suggests the Commission review the letter of intent for new drivers, and feels applicant C2 waybills are false.

Commissioner Heinicke motions to table Item G & H on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 5-0.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin **NOES:** None

ABSENT: Paek; Kwok **RECUSED:** None

G. Tabled Item:

Permit Holder Name:	Medallion Number:	Color Scheme:	Amount Due:
1. John V. Donnelly	859	WorldWide Cab	$621.50
2. William P. Jones	862	WorldWide Cab	$621.50
3. Keith Raskin	1137	WorldWide Cab	$621.50

H. Tabled Item:

Color Scheme/Dispatch Company:	Account Number:	Delinquent Amount:
1. WorldWide Cab	3037	$1299.00
2. Union Cab	3042	$2988.68

Commissioner Benjamin motions to approve Items A, B, & E on the Consent Calendar. Commissioner Gillespie seconded the motion. Motion passes 5-0.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin **NOES:** None
ABSENT: Paek; Kwok **RECUSED:** None

A. *Minutes Approved for the October 10, 2006 Taxicab Commission Meeting.*

B. *Approved Public Passenger Vehicle Driver Permit(s):*

Bahman Alison	Ali Asghar	Khosrow Alizadeh
Mehreteab Berhanykun Araya	Jurandir Batista De Souza	Lazhar Belkadi
Abbas Biabani	Daniel De Almeida Bisneto	Perry Michael Brandon
Heristal Alves Castro Jr.	Mohamed R.H. Cherif	Bella De Barros
Alex Epelbaum	Minjigdorj Erdenekhuu	Romilson Eterno Dos Santos
Elias Medeksa Folle	Iyad Ibrahim Hadeed	Ashebier Haye Gebreselassie
Mazen S. Juhar	Nasir Ali Khan	Sher Ali Khan
Ricky Kumar	Darren Edward Lavigne	Francisco Ramon Montemayor
Mario Queiroz Neto	Lusmar Silva Neto	Nick Nana Nketiah
Susan Oak	Ko Ko Oo	Narinder S. Pathak
Hank D. Quan	Marcello Luiz Ribeiro	Ademilson Silva Rodrigues
Abderrahim Saad	Aladdin M. Salah	Charles H. Schoellenbach
Nagwa Sherpa	Kulbir Singh Sidhu	Kuldip Singh
Tin Soe	Andre Emanual Stafford	Nguu The Tat
Fitsum G. Bocru	Francisco Aires Da Silva	Soon Sein Hoe
Adil Imam	Fasil Lemma	Abdullah Loinab
David Arnold Long	Nikoli Michael Malik	Fabiano Honorio Mariano
Yohanes Melaku	Elsiddig Adam Mohamed	Hussein Abdulla Mohamed
Umesh Rai	Milan Rana	Jevgenijs Romanovskis
Orlando Oliverio Ruiz	Charanjit Singh	Nirmaljit Singh
Tefera Tesema	Fan Yang	Ben Li Yu
Naing Win Tun	Aliaksandr Zhyhalau	

E. *Approved list of Applicant Name(s) who are ineligible for a* ***Ramp*** *Taxicab Medallion per Municipal Police Code Section 1080(c)(2):*

Applicant Name(s):	List #:
1. Philip Lo	6-575
2. Alice D. Mack	6-576
3. Fontaine Lai	6-577

Commissioner Gillespie motions to approve Item C1 on the Consent Calendar. Commissioner Gillespie seconded the motion. Motion passes 4-0.

AYES: Gillespie; Oneto; Heinicke; Breslin **NOES:** None

ABSENT: Paek; Kwok **RECUSED:** Benjamin

C. *Approved Taxicab or Ramp Taxicab Medallion Holder Permit to:*

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Richard N. Sprang	297	Luxor

Discussion ensued, including the following points:

- Director Machen gives update to the Commission and states the applicant still falls short of hours with the addition of the two new waybills. The other extra waybills presented to the Commission by Mr. Gillespie were not provided to the Commission staff.
- Commissioner Benjamin provides thought on waybills and states he has concerns.
- Commissioner Heinicke questions Director Machen and Jim Gillespie on the waybills counted.
- Vice President Breslin suggests the two parties sit down together and count the waybills, both initial, and bring it back to the next Taxi Commission hearing.

Commissioner Breslin motions to continue Item C2 on the Consent Calendar. Commissioner Heinicke seconded the motion. Motion passes 4-0.

AYES: Oneto; Benjamin; Heinicke; Breslin **NOES:** None
ABSENT: Kwok; Paek **RECUSED:** Gillespie

C. *Continued till November 14, 2006*

Medallion Holder:	Medallion #:	Change:
2. Virginia C. Fuquay*	227	Yellow Cab Co-Op

Commissioner Benjamin motions to approve Item D1 on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 4-0.

AYES: Oneto; Benjamin; Heinicke; Breslin **NOES:** None
ABSENT: Paek; Kwok **RECUSED:** Gillespie

D. Approved list of Applicant Names(s) who are ineligible and are to be removed from the Taxicab/Ramped Taxicab waiting list per Municipal Police Code Section 1080(c)(2) for failure to qualify::

Applicant Name(s)	List #
1. Ciro Matarazzo	6-011

Discussion ensued, including the following points:

- Commissioner Heinicke inquires on the Commission's authority to make exemptions to the rules. Feels that it will be inspected by GTU as long as the vehicle is safe and meets the requirements, it should be allowed as a spare.
- Commissioner Breslin and Commissioner Benjamin do not want to vote on F2 & F3 stating he doesn't have to paint or install a camera.
- Alec Kaplan requests the Commission to approve item F1 and dismiss item F2 & F3.

Commissioner Heinicke motions to approve Item F1 and to continue Item F2 & F3 to the call of the chair on the Consent Calendar. Commissioner Oneto seconded the motion. Motion passes 5-0.

AYES: Oneto; Heinicke; Breslin; Benjamin; Gillespie **NOES:** None
ABSENT: Kwok; Paek **RECUSED:** None

F1. Approved to grant Grasshopper Taxicab exception to the vehicle standard rule Section 4 A. 8 (c) to place vehicle with 190,000 miles into service as a spare.

- President Gillespie requests to adjourn meeting in memory of Musharaf Poswal and Rob Logan.

7. ADJOURNMENT
Meeting adjourned at 11:21 PM.

Respectfully Submitted,

Jaime Poblitz
Executive Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

November 14, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

SF
T23
#1
11/14/06

1. Call to Order/Roll Call
2. Consideration of an Attendance Policy for Commissioners at Regular Commission Meetings. [DISCUSSION AND POSSIBLE ACTION]
3. Consideration of the Proposed PC&N Survey. [ACTION]
4. Consideration of the Health Care Committee Survey Questions. [ACTION]
5. Staff Report and Commissioner Announcements [INFORMATION]
6. Consideration of the Consent Calendar. [ACTION]
7. Public Comment (Please limit public comment to items NOT on the agenda).
8. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the October 24, 2006 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Abdalla Abdelhalim Abouadma	James Richard Hammond
Ahmad Shah Karimi	Jeffry Howard Levin
Alemayehu Assefa	Lob Yuen Kwong
Andriy Chornyy	Matthew Walter Flint
Angelique Victoria Mahan	Miroslav Vickery
Beo Hoang	Mohammach Amin Sroles
Christopher Francis Anderson	Nyamtur Tseveendorj
Daniel Haile Kelati	Race Allen Wadehul
Dikpal Kc	Rupert Lloyd Pacifico Castillo
Douglas Franklin Woods	Samir Pradhan
Gerald Thomas Hay	Santosh Pradhan
Girma Kebede	Wilton Quintino Ribeiro
Igor Santos Galvao	Zackary Ahmed Albawyha
Jameel Mohammad Marzi	

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. John Vo	275	Fog City Cab
2. Virginia C. Fuquay*	227	Yellow Cab Co-Op

**Continued from October 10th & 24th, 2006.*

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. Martin B. Smith	713	Big Dog to Delta Cab
2. Mizan Rahman	1113	Luxor Cab to Yellow Cab

E. Consideration of the Taxi Commission to Reinstate Applicant Name and Medallion Waiting List Number to the PC&N Medallion Waiting List:

Applicant Name(s):	List #:
1. Leon Trung Le	6-416

F. Consideration of the Taxi Commission to grant a Time Waiver to the following applicant:

Applicant Name(s)	List #
1. Klara Dorman	6-431

G. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to submit an application:

Applicant Name(s)	List #
1. Eugene Shu	6-426

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the November 28, 2006 hearing.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Reynaldo F. Datlag	1048	Union Cab to DeSoto Cab
2. James Kam-Chuen Seeto	1078	Yellow Cab Co-Op to Fog City Cab

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**List #:**
1. Alex Dorman	6-430

C. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to reply and submit an application:

Applicant Name(s):	**List #:**
1. Mekuria Julala	6-433
2. Marc Ribeiro	6-434

E. Consideration of the Taxi Commission to grant Yellow Cab Co-Op exceptions to the Vehicle Standards contained within Taxicab Rules and Regulations Section 4.A.8.

1. **Vehicle Age:** Yellow Cab Co-Op has 5-10 factory conversion Crown Victoria CNG vehicles which are older than 8 model years.
   Current rules under San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4.A. 8(b) states: No Vehicle which is older than eight (8) model years may serve as a taxicab.
2. **Mileage:** The starting mileage for the vehicles that will be purchased range from 66,000 – 115, 000 miles.
   Current rules under San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4.A.8(c) states: Starting mileage may not be more than sixty thousand (60,000) miles when vehicle is placed into service.

F. Commission Request to Calendar

President Gillespie	**Date of Request**	**Planned Hearing Date**
Driver Health and Public Safety Hearing	August 8, 2006	
PC & N Hearing and Service Hearing	August 8, 2006	February 2007
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	December 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Request to calendar consulting with DPT on expediting the process on placing the approved Macy's Taxi Stand.	September 26, 2006	
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must	June 13, 2006	

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provide enough parking spaces for the cabs to change shifts.		
Commissioner Paek	**Date of Request**	**Planned Hearing Date**
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	November 28, 2006
Commissioner Heinicke	**Date of Request**	**Planned Hearing Date**
Request to calendar a hearing to discuss recommending to the Board of Supervisors a plan for incentives for purchasing alternative fuel vehicles and an analysis what the savings are for drivers and taxi companies.	September 26, 2006	

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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Taxicab Commission

November 14, 2006

MINUTES

Commission Chambers - Room 400
City Hall,1 Dr. Carlton B. Goodlett Place
November 14, 2006
6:30PM
Regular Meeting

Present: Gillespie; Breslin;Benjamin; Heinicke; Oneto; Paek
Absent: Kwok

President Gillespie called the meeting to order at 6:38 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Vicky Siu, Jordanna Thigpen - Taxi Commission, Lieutenant Schlotz- Taxi Detail, Tom Owen- City Attorney

1. **Roll Call-Roll call showed a quorum was present.**

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2. **Consideration of an Attendance Policy for Commissioners at Regular Commission Meetings. [DISCUSSION AND POSSIBLE ACTION]**

- **HeidiMachen, Executive Director:** Introduced the item of Attendance Policy for Commissioners at Regular Commission Meetings.
- **President Gillespie:** States that anyone who speaks on this topic tonight will be precluded from speaking at the next meeting.

Public Comment:

- **RobertCesana:** Emphasized the importance of this Commission. Feels everyone needs to be here and if they do not want to attend, they should resign.
- **SteveReimers:** Opposed. Does not feel this policy is necessary.
- **MichaelSpain:** Feels it is important for all Commissioners to attend meetings.
- **Vice President Breslin:** Asked if they will be able to meet the December 1st deadline.
- **H.Machen, ED:** Replied that they will meet the deadline.
- **Vice Pres. Breslin:** Wants it on record that she has a great attendance record. Asked if teleconferencing is available.
- **TomOwen, City Attorney:** States he will have more information at the next meeting but at this point there is no specific legislation about telecommunication for Boards or Commissions.
- **Vice Pres. Breslin:** She agrees with numbers 1 and 2 on the

proposed resolution. She is not in favor of number 3 because it is not something that was proposed by the Mayor or City Attorney and wants more discussion. Adds that they should not be more punitive to our Commission.

- **Pres. Gillespie:** Does not have a problem with the attendance policy.
- **Commissioner Paek:** States if there is not a quorum, they can always continue the meeting. However, if Commissioners leave early, she feels it causes a problem because they cannot move any business.
- **Vice Pres. Breslin:** Adds that she does not think this is an issue for this Commission because she is committed.
- **Commissioner Oneto:** Asked if the language is similar to other Commission's policy.
- **JordannaThigpen, Deputy Director:** States that the language is similar to the language of other Commissions.
- **Vice Pres. Breslin:** Asked how Deputy Director Thigpen compared this Commission to others since the Taxi Commission meets more often.
- **Deputy Director Thigpen:** Agrees with Vice President Breslin. States that this would be a decision for the Commission to make on how many meetings Commissioners can miss.
- **Commissioner Heinicke:** Reminds everyone that this is not an automatic expulsion policy. This is simply for the Executive Director to report any attendance problems to the Mayor's office and the Mayor's personnel can take action. Feels they can strike subsection three and makes a motion to do this.
- **Commissioner Paek:** Seconds.
- Motion passes 6-0.
- **Vice Pres. Breslin:** Advises all that she will be absent on March 27, 2007.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

3. **Consideration of the Proposed PC&N Survey. [ACTION]**

- **DirectorMachen:** Introduces this item.
- **Deputy Director Thigpen:** Gave a summary of the proposed PC&N Survey. Pointed out that the survey is under budget. Went over the components of last year's survey. States that we have decided to make dispatch the main component of the survey and have included a hotel stand survey. In the past surveys, the airport did not seem to be an issue however we will obtain information from Ground Transportation Unit for this part of the survey.

Discussion ensued, including the following points:

- **Commissioner Heinickeasked** what the results of the survey will be used for and is this information only. **Director Machen** replied that is correct. The results will be used for the annual Public Convenience & Necessity Hearing to give us data on whether there are sufficient taxis serving San Francisco.

- **Commissioner Heinicke**states that the biggest complaint he hears is that people cannot flag a cab during the peak hours down the Market corridor or Financial District. Feels it is important to the survey and asks why it is not included. **Deputy Director Thigpen** replies that she can go back and analyze what the cost would be to add this component to the survey.
- **Pres. Gillespie** asks Commissioner Heinicke to review what has been done in past surveys and points out that it is very time consuming to study flags but if we are able to add this then that would be fine. Adds that flag down surveys can be done at any time. Feels surveys should be done on a regular basis throughout the year.
- **Vice Pres. Breslin** agrees with Commissioner Heinicke to add this component to the survey.
- **Commissioner Heinicke**also wants to focus on the dispatch and at the taxi stands during peak times. **Deputy Director Thigpen** replies that this will already be addressed in this survey. **Pres. Gillespie** adds that the dispatch survey reflects the way people actually call and there is over sampling. **Deputy Director Thigpen** states that over sampling will be done for the hotel stand portion of the survey.
- **Commissioner Benjamin**states that if each Commissioner was given $100, they could flag down cabs for a week which would provide the needed data and save time and money. **Pres. Gillespie** states that maybe Commissioners Benjamin and Breslin can keep a log of the cabs they take from now until the PC&N Hearing and present it.

Public Comment:

- **SteveReimers:** States that cab usage has not changed during the years; there will always be a shortage during peak times.
- **ArthurLembke:** States that if there are too many cabs then drivers will not be able to make a living. Adds that more spare cabs should be put out during peak times or big events only.
- **BarryTaranto:** Feels the flag down portion of the survey is unnecessary. States that the focus should be on how the demand is met during off-peak hours and in neighborhoods.
- **RobertCesana:** Spoke about a past survey from two years ago which states that you can never have enough cabs during peak time otherwise during off-peak hours. Wants Commission to make shift change easier.
- **MarkGruberg:** Feels the dispatch survey does not properly portray the way the public calls for a cab.
- **BillMounsey:** States that he only takes flags when he drives during rush hour on Thursday - Saturday night and Friday night is very busy. There will always be a shortage during rush hour.
- **RuachGraffis:** Feels the PC&N survey is supposed to look at all things not just the number of cabs available.
- **TarikMehmood:** Feels the problem is the dispatching system and a good system will eliminate the problem of taxi availability.
- **MichaelSpain:** Disagrees with many speakers and states that even during peak times, a person should not have to wait long for a cab.

Discussion ensued, including the following points:

- **Pres. Gillespie** asked if the Director was looking for a motion

tonight and asks if Commissioner Heinicke's suggestion can be added. **Director Machen** asks the Commission to endorse the proposed survey with the recommendation that staff look into adding the flag down portion to the survey.

- **Commissioner Heinicke**asked why Supervisor districts were chosen rather than neighborhoods. **Director Machen** replied that this Commission works closely with the Board of Supervisor in pushing forward the legislative agenda and staff thought it would be helpful in keeping good relations with the Board. **Pres. Gillespie** adds that the survey will still reflect reality. **Commissioner Heinicke** states that we should focus on neighborhoods with historical complaints. He has no problem endorsing the survey. **Vice Pres. Breslin** adds she will be working with the staff to ensure total coverage of the hotels. She is concerned that hotels without stands are not being covered. Asked if the same outreach will be done to the same associations, restaurants and groups from last year. **Director Machen** confirmed that outreach will be done again this year informing groups when the PC&N Hearing will be. **Vice Pres. Breslin** requests to add the Hotel Council to the outreach list. Asked for a copy of the same survey that was sent to hotels to be sent to her.
- **Commissioner Heinicke**motions to move forward with the survey with the addition of the flag down portion.
- **Commissioner Benjamin**seconds the motion.
- Motion passes 6-0.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

4. **Consideration of the Health Care Committee Survey Questions. [ACTION]**

- **DirectorMachen:** Introduced the item of Health Care Committee Survey Questions.
- **Deputy Director Thigpen:** Went over the goals of the survey, outcome of past surveys, possible survey options for 2006-short form survey, data collection, and the timeline. She also went over questions that a member of the public requested to be added to the survey.
- **DirectorMachen and Pres. Gillespie:** Both report that those two questions were considered and rejected at the last Health Care Committee meeting.

Discussion ensued, including the following points:

- **Commissioner Heinicke:** Asked if there is an intake control to prevent 'ballot stuffing' with survey results? He can see the survey being discredited if one driver were to fill out 100 surveys. **Pres. Gillespie:** Replies that when drivers renew their A-Card, they have the time then to fill out the survey while the clerk finds the driver's file. Feels the work by staff is very commendable.
- **Commissioner Heinicke**wanted to know the rational in not proposing a more specific plan. **Commissioner Oneto** replied that they will meet with providers at the next sub-committee meeting therefore they did not know what to present as part of the questionnaire. **Pres. Gillespie** adds that this is a preliminary

starting point for us.

- **Vice Pres. Breslin:** Wanted to look at number 2 & 3, states that those touch on privacy issues and wants to get the thinking behind those. **Deputy Director Thigpen** replied that it was determined that the information to those questions would be helpful in getting to know the industry. **Pres. Gillespie** adds that since there are plans for those residing in San Francisco and one for out of town residents, it is important to know where people live.
- **Vice Pres. Breslin:** Feels the 'place of birth' and 'are you a citizen' are irrelevant.
- **Commissioner Heinicke:** Feels that this survey is not totally anonymous because it will be handed back to a government worker.
- **Vice Pres. Breslin:** Feels the range of $150-250 is too large. **Pres. Gillespie** adds that maybe adding a higher category might be good.
- **Commissioner Benjamin:** Asks if drivers will receive a notice informing them that a survey will be conducted when they renew their A-Card. **Director Machen** states that staff can notice the companies to post this for the drivers.
- **Commissioner Paek:** Agrees that some questions are sensitive. Gave some suggestions on how to rephrase some of the questions and is wondering how some of the questions came up.
- Commissioners discussed the importance of the question regarding U.S. Citizenship, income and language spoken. Commissioner Gillespie that he is open to remove the U.S. Citizen question if it discourages people to take the survey but feels it is important to know what people's primary language is.

Public Comment

- **BarryTaranto:** Supports the survey. Suggests some questions to add to the survey.
- **ArthurLembke:** Spoke about being sued by UTW and he does not want DeSoto, Luxor and Yellow to deal with the UTW who is involved with this sub-committee.
- **JohnNakis:** Feels the survey does not explain to the driver what they are getting into.
- **CarlMacMurdo:** Also gave suggestions of questions to be added to the survey.
- **SteveReimers:** Feels the survey should be mandatory and anonymous.
- **RobertCesana:** Does not agree with all the questions on the survey. The survey does not indicate if this is a family plan or not.
- **ThomasGeorge Williams:** Agrees the survey should be mandatory. Feels some questions on the survey are not important.
- **MarkGruberg:** Also wants this to be mandatory. Gave suggestions for possible questions.
- **BillMounsey:** Feels the 'language' question is not necessary.
- **TarikMehmood:** Agrees this should be mandatory. Feels drivers should only be given one form and gave suggestions for questions. States that medallion holders should pay for health care.
- **RuachGraffis:** Also gave suggestions on questions for survey.
- **MichaelSpain:** States that it is important to keep track of who does not answer the survey and why. Feels all questions are important

and the survey should ask all types of questions even personal surveys.

- **Commissioner Oneto:** Comments that this is an informational and health survey combined. States that they wanted enough questions to gather data but not too many that drivers will not answer them.

Discussion ensued, including the following points:

- **Commissioner Heinicke:** Feels there should be a control of the survey-only one survey per driver. Does not want to make it mandatory but wants to make sure everyone has an opportunity to fill it out. Wants to remove questions regarding place of birth, citizen and primary language spoken. Feels that number 9 is a very important question and states that Yes/No questions will be easier to tabulate answers. Wants to vote on this tonight. **Commissioner Benjamin** agrees that this needs to be voted on tonight since the A-Card renewal is coming up and it should be Yes/No questions as much as possible. **Vice Pres. Breslin** agrees and adds that even if drivers do not fill out the survey, they should still put a blank survey in the box so we know how many did not want to fill it out.
- **Commissioner Heinicke:** Motions to remove the second sentence in the preamble.
- **Commissioner Benjamin:** Seconds.
- Motion passes 6-0.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

- **Pres. Gillespie:** Asks if there are concerns about questions 1 or 2.

Discussion ensued including the following points:

- **Commissioner Heinicke**proposed to change the resident question to a Yes/No question. **Pres. Gillespie** feels question 2 is too important change. He would want to know where his constituency is living. **Commissioner Paek** states that all the questions are important but they should be simple and quick. **Vice Pres. Breslin** feels that if majority of Commissioners feel this way then drivers might feel this way too. **Commissioner Oneto** spoke about the type of plans that the providers proposed and mentioned that there are different plans for different counties which is why question 2 is important.
- **Commissioner Heinicke:** Motions to change question 2 to say, 'Are you a resident of the city of San Francisco: Yes or No, If no, what county do you reside-give choices.
- **Vice Pres. Breslin:** Seconds.
- Motion passes 6-0.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

- **Pres. Gillespie:** Moves to keep the place of birth question. No second. Place of birth question is removed.
- **Commissioner Heinicke:** Moves to remove number 3, "Are you a US

Citizen?" and 'language spoken'.

- **Pres. Gillespie:** Motions to keep question 3 as is. No second. Number 3 is removed. We are keeping number 4 also.
- **Commissioner Heinicke**states that we should make number 5 a Yes/No question. **Pres. Gillespie** adds that this is a Controller question and it is very important to keep that. **Commissioner Oneto** points out that numbers 5, 6, 7 & 8 were what the Controller wanted. **Pres. Gillespie** states that we will keep number 5, 6, 7 & 8.
- **Pres. Gillespie** wants to make the increments higher for number 9. **Vice Pres. Breslin** agrees.
- **Commissioner Benjamin:** Motions to keep number 9 as $50 increments and go up to $300.
- **Commissioner Heinicke:** Seconds.
- Motion passes 6-0.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

- **Commissioner Heinicke**motions to remove number 10. Asks why we would have this question. **Pres. Gillespie** replies that this question is to find out how they would pay for this. **Commissioner Benjamin** feels that since gas and gates is the relationship that we have with the health care issue that we should keep this question. **Commissioner Heinicke** withdraws his motion.
- **Vice Pres. Breslin:** In regards to number 11, she asks if the insurance companies are demanding a certain number of work per week in order to calculate this. **Commissioner Oneto** replies that there will be different costs for those that are considered full time.
- **Pres. Gillespie**states that everyone is ok with number 11. Number 12 is a bit confusing.
- **Commissioner Heinicke:** suggests changing it to 'Are you a current driver?' and 'How long have you been driving?'
- **Pres. Gillespie:** Confirms that they will keep #12 and add 'How long have you been a driver'.
- **Commissioner Heinicke:** Motions to support that.
- **Commissioner Benjamin:** Seconds.
- Motion passes 6-0.

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

- **Pres. Gillespie:** Went over the two questions that a member of the public wanted to add to the survey. There were no motions to add either question therefore they were not added. States that he wants to make sure that each driver only receives one survey.
- **DirectorMachen:** The Tax Collector is not sure whether his staff wants to be put in that position of enforcement but we will work with the Tax Collector to enforce that.

- **Commissioner Heinicke:** Motions to include the question, "Would you favor a meter increase to in part fund a driver health care plan, Yes/No".
- **Vice Pres. Breslin:** Seconds.
- Motion passes 6-0

AYES: Gillespie; Oneto; Benjamin; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

5. **Staff Report and Commissioner Announcements [INFORMATION]**

- **DirectorMachen:** Introduced David Augustine from the Treasurer and Tax Collector's Office to make a brief presentation.
- **Policy and Legislative Manager, David Augustine:** Introduced and provided information regarding the business registration law and helping drivers come into compliance with this law. This law requires all entities doing business in San Francisco to register with our office. Gave the definition of 'doing business' and states that drivers are included in that definition. All businesses under this category pay a $25 registration fee. The Treasurer's Office wants to register all drivers moving forward.
- **Commissioner Benjamin:** Asked if they are planning on charging the limousine drivers as well. The are not registered with the city, they are with the state.
- **D. Augustine:** We are applying this to all independent contractors in the city. If there is a list, we would be happy to process those notices.
- **Commissioner Heinicke:** How is a business defined?
- **D. Augustine:** Defined 'doing business' as anything that would bring benefit, gain or advantage. It is very broad. If any entity does business for more than seven days then the registration requirements apply to that business.
- **Commissioner Heinicke:** Are there any business people who are exempted from the law if their income is sufficiently low that they should not need to comply?
- **D. Augustine:** There are special provisions for non-profit but no other provisions that would apply.
- **Commissioner Heinicke:** Other than revenue generation, is there a purpose to this?
- **D. Augustine:** This is to get all businesses listed in our books. We need to know where all the businesses are operating and which ones are liable for payroll expense tax.
- **Commissioner Benjamin:** Does that fee mean that their income will also be taxed in the future?
- **D. Augustine:** No, they would not be subject to the payroll expense tax. Only if they have employees.
- **Commissioner Oneto:** All drivers are considered a form of business, however, the Prop K law says that medallions cannot be issued to a place of business.
- **City Attorney, Tom Owen:** Clarified the Prop K law.
- **DirectorMachen:** Gave an update on the meetings she attended, upcoming events and correspondences received and sent.

- **Commissioner Heinicke:** Gave feedback on the Mayor's State of the City Address and adds that he is disappointed to hear that John Lazar is resigning from the Health Committee.
- **Vice Pres. Breslin:** Suggests that once the Taxi Commission gets a scanner, that they email the packets to Commissioners. Spoke about the passenger's bill of rights.

Public Comment

- **BarryTaranto:** He is opposed to the Treasurer's report. Also spoke about the passenger's bill of rights and adds he is opposed to the public paying for meeting packets.
- **RobertCesana and Corey Lamb:** Both are opposed to the Treasurer's report on business registration law.
- **ThomasGeorge Williams:** He agrees with the Mayor's State of the City Address.
- **BillMounsey:** Feels the Mayor knows more about the cab industry than the Commission does.
- **MarkGruberg:** States that the $25 business registration fee is a form of taxation.
- **MichaelSpain:** States that the A-Card is a already fee and should be in-lieu of this business fee.
- **Pres. Gillespie:** Requests to calendar an agenda item regarding the business license fee.
- **Commissioner Heinicke:** Adds for staff to find out what other major cities do the same?
- **DirectorMachen:** Replied she will try to have this ready for the next agenda or the following.

6. **Consideration of the Consent Calendar. [ACTION]**

- **DirectorMachen:** Suggests severing several items.

Public Comment

- **TarikMehmood:** He is opposed to approving new drivers without checking them. States that Virginia Fuquay's case is a fraud situation.
- **LeonLe:** Gave information about his driving history and why he did not renew his A-Card.
- **RobertCesana:** Supports Mr. Le.
- **JimGillespie:** Spoke in favor of Virginia Fuquay. States that she has enough hours to qualify.
- **ThomasGeorge Williams:** He counted the waybills but he does not believe that Ms. Fuquay drove much.
- **CarlMacMurdo:** Spoke in favor of Virginia Fuquay and possible probation.
- **Pres. Gillespie:** Severed C2, D2, E1, & F1. Recused himself from Item C2.
- **Commissioner Heinicke:** Motions to approve the calendar with the exception of the severed items.
- **Commissioner Benjamin:** Seconded.
- **Vice Pres. Breslin:** Moved onto Item C2.
- **DirectorMachen:** Advised Commissioners that staff has counted the waybills again and historically it is not whether the candidate drove but do the waybills show substantial proof that she is a qualified full-time driver. Does she intend to be a full-time driver?

- **Lt. Schlotz:** Gave a summary of her findings regarding Virginia Fuquay's waybills. States that the question is not whether Ms. Fuquay has enough hours, the question is, do the waybills show substantial proof that she is a qualified full-time driver. Does she intend to be a full-time driver?

Discussion ensued, including the following points:

- **Commissioner Heinickeasks** if the duplicate waybills bring her over 800 hours. **Lt. Schlotz** replies that she does go over the 800 hours if you do count all the waybills even the ones with questions. **Commissioner Benjamin** asked if her waybills improved and if there is a probation status? **Lt. Schlotz** replied, no her waybills have not improved and she is not aware of a probationary status.
- **Commissioner Benjamin:** Motions for a three month probationary period where we will review her waybills for compliance. Later he withdraws his motion.
- **Commissioner Heinicke:** Motions to approve the application.
- **Vice Pres. Breslin:** Seconded.
- **Roll call:** Paek: No, Oneto: Yes, Heinicke: Yes, Benjamin: Yes, Breslin: Yes
- **DirectorMachen:** Motion passes 4-1.

Taxicab Medallion granted to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
C2. Virginia C. Fuquay	227	Yellow Cab Co-Op

AYES: Oneto; Benjamin; Heinicke; Breslin; **NOES:** Paek
ABSENT: Kwok **RECUSED:** Gillespie

- **Vice Pres. Breslin:** States that Commissioners Benjamin and Gillespie have both recused themselves from Item D2.
- **Commissioner Heinicke:** Motions to approve Item D2.
- **Commissioner Benjamin:** Seconded.
- Motion passes 4-0.

Color Scheme Change granted to:

Medallion Holder:	Medallion #:	Color Scheme Change:
D2. Mizan Rahman	1113	Luxor Cab to Yellow Cab

AYES: Oneto; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** Gillespie; Benjamin

- **DirectorMachen:** Introduces Item E1 and gives a brief summary.
- **Pres. Gillespie:** Under the Daly/Ma legislation, he simply does not qualify. Asks Mr. Le if he has been driving a taxi the last 3 years and if he submitted waybills from the last 2 years to the Taxi Commission.

- **LeonLe:** States he started in 1992 and has never stopped driving. Adds that he has waybills and doesn't see why he wouldn't have them.
- **DirectorMachen:** Clarified that staff does not have waybills because he was not being considered for a medallion since he did not respond to his notice. Adds that the issue is to reinstate the applicant back on the waiting list after the driver did not respond to our noticing.
- **Pres. Gillespie:** Wants to give Mr. Le an opportunity to show his waybills. Asks to continue this item.
- **Commissioner Oneto:** Questions Mr. Le if he knows that he is supposed to renew his A-Card every year?
- **L. Le:** Yes but I usually renew during July and later months. States that no one told him when he should renew.
- **Commissioner Oneto:** States that it says on the A-Card that it expires on December 31 and it should be renewed.
- **Pres. Gillespie:** Advises that Mr. Le get a translator and continues this until the next meeting. Moved on to Item F1.
- **DirectorMachen:** States that the Commission staff has not been able to get a hold of Ms. Dorman. She contacted Town Taxi which is the last company we have on file for her, they said that she never drove for them.
- **Commissioner Heinicke:** Moves to deny the time waiver.
- **Commissioner Oneto:** Seconded.
- Motion passes 6-0.

Time Waiver denied to:

Applicant Name(s)	List #
F1. Klara Dorman	6-431

AYES: Gillespie; Benjamin; Oneto; Heinicke; Breslin; Paek **NOES:** None
ABSENT: Kwok **RECUSED:** None

7. **Public Comment**
- **ArthurLembke:** Spoke about why he is upset with the UTW.
- **StevenReimers:** Spoke about Hybrid vehicles and the Mayor's goals.
- **RobertCesana:** Spoke about the health care issue and the survey.
- **TesfayeChuffa:** Spoke about his position on the waiting list and that he should get a medallion.
- **BillMounsey:** Spoke about the waiting list for the medallion. States that the Commission should stop giving medallions to those who don't deserve medallions. Asked about the law regarding long-term leases.
- **CarlMacMurdo:** Comments about the health survey. Spoke in regards to Mr. Chuffa.
- **MichaelSpain:** Feels the UTW should be asked to resign since there is a lawsuit.
- **JimGillespie:** States Brian Brown would be a good candidate to replace John Lazar on the health committee.
- **ThomasGeorge Williams:** States that UTW is not the criminal, we are

suing the criminal.

- **TarikMahmood:** Spoke about the gate fees and the lawsuit by UTW.

8. **Adjournment**

Respectfully Submitted,

Vicky Siu
Office Coordinator

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

F
23
1
1/28/06

November 28, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consideration of the Consent Calendar. [ACTION]
4. Appointing Member to the Health Care Working Group. [ACTION]
5. Public Comment (Please limit public comment to items NOT on the agenda).
6. Appeal of Executive Director's decision (1) denying the request of Martin Kazinski, who is on the medallion waiting list, for a waiver of the driving experience requirement imposed by Section 1121(b) of the Police Code, on the basis of disability; and (2) offering Mr. Kazinski an accommodation of the driving experience requirement, which accommodation he has rejected. (ACTION)

   a. Public comment on all matters pertaining to this agenda item.
   b. Possible vote to go into closed session. (ACTION)

   NOTE: The Commission will go into closed session if necessary to safeguard Mr. Kazinski's right to medical privacy under the California Constitution and state and federal law. If there is testimony pertaining to Mr. Kazinski's medical condition, review of his medical records, or discussion of his medical condition, the Commission will hear such matters in closed session. However, all matters not directly pertaining to his medical condition will be heard in open session.

   c. (If the Commission goes into closed session) Vote whether to disclose closed session discussions. S.F. Admin. Code §67.12(a). (ACTION) Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the November 14, 2006 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Ahmed Hasan Khan	Ilyas Koksal	Patrick Marques Anes
Amirouche Benzemame	Jaskaran Singh	Raagini Gupta
Andres Avelino Mundo Parada	Jimmy Won	Riadh Abderrahman Baktache
Anthony Edwin Grat	Kamal Mohiuddin Ahmed Khan	Richard Ly
Aung Kyaw Soe	Lourival Barbosa Junior	Ronald Lee Mellinger
Brian Guang Huang	Mario Lopez Santamaria	Slim B. Maamar
Endale Yimer Yirbado	Melvin Lester Holden	Soe Win Aung
Eurico Garcia Rosa	Miles Lester Davis	Tariq A. Khan
Hardish Singh	Mohinder Singh	William J. Duke
Igor Anatolyevich Tanov	Myo Carter Thant	Zeeshan Mirza

C. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Reynaldo F. Datlag	1048	Union Cab to DeSoto Cab
2. James Kam-Chuen Seeto	1078	Yellow Cab Co-Op to Fog City Cab

D. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. Alex Dorman	959	Luxor Cab

E. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to reply and submit an application:

Applicant Name(s):	List #:
1. Mekuria Julala	6-433
2. Marc Ribeiro	6-434

F. Consideration of the Taxi Commission to grant Yellow Cab Co-Op exceptions to the Vehicle Standards contained within Taxicab Rules and Regulations Section 4.A.8. ***Request Withdrawn***

1. **Vehicle Age:** Yellow Cab Co-Op has 5-10 factory conversion Crown Victoria CNG vehicles which are older than 8 model years.
   Current rules under San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4.A. 8(b) states: No Vehicle which is older than eight (8) model years may serve as a taxicab.
2. **Mileage:** The starting mileage for the vehicles that will be purchased range from 66,000 – 115, 000 miles.
   Current rules under San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4.A.8(c) states: Starting mileage may not be more than sixty thousand (60,000) miles when vehicle is placed into service.

G. Consideration of the Taxi Commission to Reinstate Applicant Name and Medallion Waiting List Number to the PC&N Medallion Waiting List:

Applicant Name(s):	List #:
1. Leon Trung Le	6-416

**Continued from 11/14/06*

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the December 12, 2006 hearing.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder:	Medallion #:	Change:
1. Wing Hoi Wong	810	United Cab to Fog City Cab
2. Charles S. Kleinman	772	WorldWide Cab to DeSoto Cab

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:
1. James Cook	6-436
2. Jack Fung	6-437
3. Alexander Alterman	6-442
4. Adnan Atallah	6-439

C. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s):	List #:
1. Klara Dorman	6-431

D. Consideration of the Taxi Commission to grant Metro Cab exceptions to the Vehicle Standards regarding Vehicle Age contained within Taxicab Rules and Regulations Section 4.A.8.

1. **Vehicle Age:** Metro Cab has 4 spare cabs which will be older than 8 model years as if January 1, 2007. All 4 spare cabs are under the 350,000 mile limit (284500, 288124, 290964 and 304555).
   Current rules under San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4.A. 8(b) states: No Vehicle which is older than eight (8) model years may serve as a taxicab.

E. Commission Request to Calendar

President Gillespie	Date of Request	Planned Hearing Date
Driver Health and Public Safety Hearing	August 8, 2006	
PC & N Hearing and Service Hearing	August 8, 2006	February 2007
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	December 12, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Request to calendar consulting with DPT on expediting the process on placing the approved Macy's Taxi Stand.	September 26, 2006	
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	
Commissioner Paek	**Date of Request**	**Planned Hearing Date**
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	November 28, 2006

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Commissioner Heinicke	Date of Request	Planned Hearing Date
Request to calendar a hearing to discuss recommending to the Board of Supervisors a plan for incentives for purchasing alternative fuel vehicles and an analysis what the savings are for drivers and taxi companies.	September 26, 2006	
Commissioner Oneto	**Date of Request**	**Planned Hearing Date**
Request to discuss the monitoring & enforcement of gate fees charged to drivers	November 22, 2006	
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.		
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.		
Further investigation of Union Cab - Eugene Shu		

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
MALCOLM HEINICKE, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 5
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7

HEIDI MACHEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

SF
T23
#1
12/12/06

December 12, 2006 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Consideration of the Taxi Driver Business License from the Treasurer's Office. [DISCUSSION AND POSSIBLE ACTION]
3. Annual Safety Hearing as required by Municipal Police Code § 147.3 (a), to include MUNI and pedestrian issues in addition to bicycle issues that may affect drivers [INFORMATION AND POSSIBLE ACTION]
4. Consideration of a By-Law Change setting an Attendance Policy for Commissioners at Regular Commission Meetings. [DISCUSSION AND POSSIBLE ACTION]
5. Staff Report and Commissioner Announcements [INFORMATION]
6. Consideration of the Consent Calendar. [ACTION]
7. Public Comment (Please limit public comment to items NOT on the agenda).
8. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the November 28, 2006 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Anatoliy Leschneko	Firuz Ozluk	Michael John Welsh
Andrei Bulgac	Gagan Sharma	Mohamed Said Abouabdalla
Anteneh Dorka Dinka	Haitham Obaidallah Alkhdour	Nader Adli Atout
Aung Min Naing	Khaled H. Alhajj	Nana Eyiah Acquah
Carol Susan Osorio	King Ip Chu	Parwinder Singh
Clovis Michaeli De Carvalho	King Wah Lee	Richard Maung Lee
Daniel Christian Palmer	Kyaw Min Thu	Ricky Anthony Camacho
Dosh Hayes	Luciana Berto Bonguardo	Rolando Alberto Gonzalez
Edward Anthony Ramos	Luciano Soares De Souza	Ronald Craig Goode
Edward Madrigal	Marcus Gomes Dealmeida	Ruei Sen Hsieh
Engdawork G. Getu	Mehdi Kabli	Sarbjit Singh
Ezequiel Gobea	Michael A. Khan	Willy Eduardo Marzanatti Vendeth

C. Consideration to Approve Final Decision by Executive Director regarding recommendation submitted by the Taxi Commission Hearing Officer:

1. Revocation of Ramp Taxicab Medallion Holder Permit and Public Passenger Vehicle Driver Permit for Abraham Roth, Medallion #9001.

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Wing Hoi Wong	810	United Cab to Fog City Cab
2. Charles S. Kleinman	772	WorldWide Cab to DeSoto Cab

E. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:
1. James Cook	1116	Yellow Cab Co-Op
2. Jack Fung	348	Yellow Cab Co-Op
3. Alexander Alterman	208	Luxor Cab
4. Adnan Atallah	639	Yellow Cab Co-Op

F. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to reply and submit an application:

Applicant Name(s):	List #:
1. Klara Dorman	6-431

G. Consideration of the Taxi Commission to Reinstate Applicant Name and Medallion Waiting List Number to the PC&N Medallion Waiting List:

Applicant Name(s):	List #:
1. Leon Trung Le	6-416

**Continued from 11/28/06*

H. Consideration of the Taxi Commission to grant Metro Cab exceptions to the Vehicle Standards regarding Vehicle Age contained within Taxicab Rules and Regulations Section 4.A.8.

1. **Vehicle Age:** Metro Cab has 4 spare cabs which will be older than 8 model years as if January 1, 2007. All 4 spare cabs are under the 350,000 mile limit (284500, 288124, 290964 and 304555).
   Current rules under San Francisco Taxicab/Ramped Taxi Rules and Regulations Section 4.A. 8(b) states: No Vehicle which is older than eight (8) model years may serve as a taxicab.

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the January 9, 2007 hearing.

A. Consideration to Grant a Dispatch Permit to Edward Burke, GPS Dispatch.

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Manuel Joseph Fernandez	954	Arrow Cab to Luxor Cab

C. Commission Request to Calendar

President Gillespie	Date of Request	Planned Hearing Date
Driver Health and Public Safety Hearing	August 8, 2006	
PC & N Hearing and Service Hearing	August 8, 2006	February 2007
Vice President Breslin	**Date of Request**	**Planned Hearing Date**
Request to calendar a traffic safety hearing, including MUNI & pedestrian issues in addition to bicycle issues that may impact drivers. Representatives of other departments to give presentations.	April 25 & July 11, 2006	December 12, 2006
Request to calendar a service hearing regarding courtesy of drivers, cleanliness of cab, and quality of service.	April 25 & July 11, 2006	
Application process for taxi stands with DPT.	April 25, 2006	
Request to calendar a hearing on Jim Gillespie's case.	May 23, 2006	
Request to calendar consulting with DPT on expediting the process on placing the approved Macy's Taxi Stand.	September 26, 2006	
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Kwok	**Date of Request**	**Planned Hearing Date**
Commissioner Kwok requests to calendar a discussion on color schemes that want to change dispatch service from one company to another, that it be approved by the Commission. Also they must provide enough parking spaces for the cabs to change shifts.	June 13, 2006	
Commissioner Paek	**Date of Request**	**Planned Hearing Date**
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	November 28, 2006
Commissioner Heinicke	**Date of Request**	**Planned Hearing Date**
Request to calendar a hearing to discuss recommending to the Board of Supervisors a plan for incentives for purchasing alternative fuel vehicles and an analysis what the savings are for drivers and taxi companies.	September 26, 2006	
Commissioner Oneto	**Date of Request**	**Planned Hearing Date**
Request to discuss the monitoring & enforcement of gate fees charged to drivers	November 22, 2006	
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.		
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.		
Further investigation of Union Cab - Eugene Shu		

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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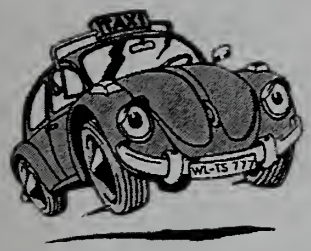
SAN FRANCISCO TAXI COMMISSION



INVITES THE PUBLIC TO SPEAK AT

ANNUAL TAXI DRIVER SAFETY HEARING

On **Tuesday, December 12, 2006,** at **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400** during a regular scheduled San Francisco Taxi Commission Meeting convening at **6:30 p.m.**, you are invited to attend and speak at the Commission's Annual Safety Hearing.

Please bring your thoughts on:

- The effectiveness of current safety equipment and safety measures
- How to protect the safety of both the public and working taxicab drivers
- How taxis, pedestrians, cyclists, buses and private cars can best share the streets
- How to reduce crimes

If you cannot personally attend, you may share your thoughts on safety and the taxicab industry via mail, fax or email received not later than December 11, 2006 at:

Taxicab Commission
25 Van Ness Avenue, Ste. 420
San Francisco, CA 94102
415.503.2180
415.503.2186 (fax)
sftaxi.commission@sfgov.org

Taxicab Commission

December 12, 2006

MINUTES

Commission Chambers - Room 400
City Hall,1 Dr. Carlton B. Goodlett Place
December 12, 2006
6:30PM
Regular Meeting

Present: Gillespie; Breslin; Benjamin; Heinicke; Paek; Oneto; Kwok
Absent: None

President Gillespie called the meeting to order at 6:31 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Tamara Odisho - Taxi Commission, Sergeant Ron Reynolds- Taxi Detail, Tom Owen- City Attorney

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- **Heidi Machen, Executive Director**: Turn-off cell-phones, interferes with phone systems and we get feedback.
- **President Gillespie:** There was an incident this week where one of our Commission employees was in an altercation with a cab driver during a survey. There will be various times in the future where the Commission employees will be conducting various surveys throughout the year and interacting with the drivers. Any instances with abuse or altercations will be taken very seriously and will be reported to the Taxi detail, employers and any other group that needs to be involved.

1. **Call to Order/Roll Call- Showed a quorum was present.**

2. **Consideration of the Taxi Driver Business License from the Treasurer's Office. [DISCUSSION AND POSSIBLE ACTION]**
   - **Director Machen**: Introduces David Augustine from the Treasurers Office.
   - **DavidAugustine**: Rolling out the program will be sending out statements to all drivers for payment of A cards and business license.
   - **Com. Oneto**: Is there a distinction between full-time and part-time drivers?
   - **David Augustine**: There is not. The law doesn't differentiate.
   - **Com Kwok**: As an independent contractor or employee of the company, who has the ultimate responsibility of paying this fee?
   - **David Augustine**: It's the responsibility of the sole contractor. We

will do our best to try to inform the contractors.

- Com **Breslin**: The address you are verifying for tax purposes will that be the home address for the medallion holders? Could we cross check contacts with our office? When someone is first awarded the medallion is there a grace period to pay the tax?
- **David Augustine:** We will share the address information we receive with the commission. The medallion awardees have 60 days to verify their information with our office.
- Com **Benjamin:** Are you going to require them to also record their names as a business license?
- **DavidAugustine:** The registration certificate, which is similar to the a business license, will have the name of the owner of the business, address; their home address; as well as the color scheme. We are also ensuring this applies to limo drivers as well.

Public Comment:

- **Mark Gruberg**: The definition of what a taxi driver is very murky. It's still unclear if they are employees or independent contractors. There was a lawsuit 10 years ago that defined drivers as employees. This is not a simple issue. Commission should look into ways to exempt drivers. They provide a service through an A card and this would be another tax.
- **Barry Taranto**: I don't agree with the City Attorney's memo. Our A card has the name of the Company we work for, not our names. In some respects we are both independent contractors and employees. This is like double taxation. With holding our A card if we do not pay our business license fee is not fair.
- **Charles Rathborn:** I have been paying the business tax as a medallion holder for years, and am happy to do so. I don't think the fee should be passed onto the drivers, since they work for someone else's business.
- **Name:** In the Eblison case, on worker's compensation, the verdict determined that taxi drivers are employees of the company. The case compared taxi drivers to share croppers.
- **Ruah Graffis:** As a UTW member I take drivers denied worker's compensation to and from the board.
- Com **Kwok**: I believe $25 is not a lot a month. I want to ensure that the fee is fair to the drivers. I recommend to the drivers to save their gate receipts as tax expenses. Do you think holders of A card should be treated different when operating a business?
- **David Augustine:** We are not treating the drivers any different than anyone else.
- Com **Heinicke**: I've heard all the comments, and I believe that this fee maybe more about principle than price. I believe the fee will be passed onto the passenger. I understand the intentions of the Treasurer, applying the policy to all that it applies to. How did the Treasurer's office arrive at the conclusion that section 8 applies to taxi drivers and did you consult the City Attorney's office when they reached this conclusion.
- **David Augustine**: We read the language and derived that and did consult the City Attorney's office.
- Com **Heinicke**: Before we invoke policy questions, I want to

ensure we are asking the right questions. I do not believe taxi drivers should be applied to this policy and I want to ensure we are reading this policy correctly. Can we look into this?

- **David Augustine**: Yes, I will look into this as a courtesy. And I believe it will be our decision on whether or not we move forward.

- **Pres Gilespie**: We have no further action we will take. Director Machen next item.

3. **Annual Safety Hearing as required by Municipal Police Code § 147.3 (a), to include MUNI and pedestrian issues in addition to bicycle issues that may affect drivers [INFORMATION AND POSSIBLE ACTION]**

- **Director Machen**: The Municipal code refers to three things that we are looking at: compliance with safety rules and regulations, safety equipment and measures, whether or not there's a need for further measures to protect the public and the drivers. We have three speakers with us tonight; Sergeant Ron Reynolds-SFPD Taxi Detail, Dan Borg-Ground Transportation Unit and Jim Aldrich-Office of Emergency Services. We put out a request to MUNI, but they were not able to make it tonight. However, that does not mean we cannot discuss issues facing MUNI as they relate to taxis.

- **Sergeant Reynolds** - SF Taxi Detail; I have some good news and bad news. No homicides of taxi drivers. Robberies are down; 14 this year; 20 in 2005; 10 in 2004; 21 in 2003. Bad news: 4 sexual assaults by cab drivers in 2006; 0 in 2005: 0 in 2004; 0 in 2003. I think they may have lumped those in regular assaults. We have 1 kidnapping and false imprisonment by a driver. Two drivers making terrorists threats in 2006; 3 in 2005: 2 in 2004; and 7 in 2003. 31 reports on lost property. 24 out-of-town cabs being cited for operating in SF. 27 limo citations/tow in 2006All the traffic accidents are stored at the planning division and for me to get that information, it would take about 2 -3 weeks. I will deliver that information to you when I receive it. With regards to bicycling, the dept has rules, all accidents where there are injuries, a police file will be filed and followed-up. I have no information from MUNI. In the last week there were 3 incidents in the last week that involved members of Commission staff, where they were either accosted, harassed, deemed or threatened while doing their job. All 3 are being investigated. We are hoping to work with everyone here to stop this behavior and that the staff could continue to conduct their job.
- **Pres Gilespie**: Thank you for your report. I commend you on your energy and your commitment to provide us a monthly update on what's happening within our industry. I'm concerned about the complaints, and hope to single out the continuous perpetrators.
- **Com Breslin**: With regards to the harassment, could you tell me if it was within our industry?
- **Sgt. Reynolds**: Yes it was.
- **Com Kwok**: I would like to suggest that you contact Senior Action Network, to gather information regarding pedestrian safety. They have been very active in the City.

- **Com Heinicke**: The most important thing we could do is provide a safe taxi service. It's not just about driving safely, but dealing with pedestrians as well. I also look forward to receiving you monthly report.
- **Dan Borg**- Ground Transportation Unit: I've been supervisor for the last 8 years. We approximately see 1600 plus cabs a year. The law previous to January 2006, allowed cabs a maximum 4 year life. The new law allows up to 8 model years, and no designation of a spare. We are seeing cars coming in with up to 100k/ year. We are seeing odometer tampering, since mileage is the rule and not model year. We are seeing more salvaged cars on the road as well. Any cab under 200k miles receive a annual insepection, anything over is biannual. Our inspections cover from front to rear, and the requirements are no more stringent then the cars were to run. CNG incentives, allowing an extra year, compromises safety. CNG's are built the same as other cars. In our 2006 inspections, we have towed out 7 cabs in the fleet. Currently we are being used as a diagnostic center. Since we only charge $60 and other shops charge anywhere from $100 and above. The owners send their cabs to our inspection and fix the changes without having to pay the full diagnostic prices. The cars are passing inspection because we do not have the equipment to get under the cars and look into the frames. I believe that we are treading backwards by allowing these older cabs into the fleet, especially the salvaged cabs. Out of all the cabs we looked at this year, under the old rule 628 cars would not currently be on the road. I know this presentation is a bit strong but I am just being honest.
- **Pres Gilespie:** When we first began, we did not have an age limit. We changed the law in 2006, to try to find a balance. We rely on you to keep us informed.
- **Dan Borg:** I understand you do rely on me, but when I was presented this to you last year, I do not think, as a board you were listening to me. Because you went backwards. We are allowing cabs come into the fleet at 60k miles.
- **Com Breslin**: Thank you for making this presentation. The law hasn't been in full-effect for a whole year, and I would like to see a quarterly report.
- **Com Heinicke**: What are some of the accidents that would occur because of an older car?
- **Dan Borg**: A newer vehicle would have more sophisticated brake systems. These older cars do not have these systems. A metal fatigue would take place within the cars. These cars were not made to go this far; the metal breaks, shock absorbers could fail. We have seen worn out cars, but nothing that has been in an accident.
- **Com Paek**: What are some of the environmental issues that we are faced with?
- **Dan Borg**: I am not a smog individual and do not have the numbers for you. The numbers are different between new and old, and CNG and gas burning.
- **Pres Gilespie**: How are the hybrids holding up in the fleet?
- **Dan Borg**: I do not have a stat on them.
- **Pres Gilespie & Com Paek**: We would like to get more information on the hybrids since we are still under a pilot program with these cars.
- **Dan Borg**: If I could urge you, I would set the policy at 90k/year, 5 years 3 years as primary and 2 years as spare.

- **Jim Aldrich**- Office of Emergency Services: In case of an emergency we hope to use all the taxi cabs available. We need to work with SF Taxi Companies dispatch to coordinate a response during an emergency. We are willing if you would like to train dispatch if and when an emergency happens. Our response is ever changing and evolving to be better.
- **Com Kwok**: Has concerns about reaching the disabled community during an emergency.
- **Com Breslin**: During an emergency response, how will the taxis be paid?
- **Jim Aldrich**: I believe we will try to implement the same policy that the American Red Cross follows, which is providing the drivers with vouchers.

Public Comment:

- **Barry Taranto**: Dan Borg is my new hero. You should all listen to what he has to say.
- **Charles Rathborn:** As a safety precaution, you should look into installing security cameras in your office and cabs, also partitions in all cabs.
- **Allen Gelder**: Toplights is a major safety issue, especially since the colors vary.
- **Emile Lawrence**: I am sure all ABS breaks are all disconnected in many of the cabs. The best cabs have been used police cruisers. Drivers should know what companies have the better cabs.
- **Carl McMurdo:** Public safety is negatively affecting the post K medallion holders, since many of them are physically impaired and their disability protection is running out.
- **Mark Gruberg**: We should protect everyone and we should provide health insurance to all. All cabs should be thoroughly tested, especially for Carbon Monoxide. Another safety issue is the number of hours drivers drive. The Commission should look into this.
- **Richard Hybels**: I've never heard of a vehicle that caused an accident because of mechanical failure.
- **Mike Spain**: I echo the words of Richard Hybels.
- **Bill Moumsey**: My job is not to hit the walking/biking public. The public is not following any of the rules, and the police do not enforce any of the rules. All cabs should be new.
- **ThomasGeorge Williams**: Equipment safety is an issue, we have had 4 deaths in the last month. We should purchase new vehicles, have panic buttons in the cars, increase annual inspections as well.
- **SteveReimers**: Steel in our cars are the best and paint prevents oxidation, which increases life.
- **JimGillespie:** I believe the OES issues is of great importance to our community, especially for the Para transit community. We should setup the meeting and training with OES.
- **Ruah Graffis**: Illegal limos are a safety issue. Especially limos who have no tccp no's and are picking up customers.
- **Com Breslin**: MUNI couldn't be here. I wanted my comments are on the record and we should enforce bikes to stay in their lanes, and for MUNI buses to also stay in their lanes. I also think we should start issuing jay walking tickets. City is spending money on their lanes and the bicyclists should be staying in their lane.

4. **Consideration of a By-Law Change setting an Attendance Policy for Commissioners at Regular Commission Meetings. [DISCUSSION AND POSSIBLE ACTION]**

- **DirectorMachen**: BOS and Mayor wants this change. All Commissioners should notify staff 72 hours if they are going to be absent. Sick days are not counted against the Commissioners. A constituent recommended you remove "fiscal" from the language and per your request we removed a section item which required Commissioners would have to be present 75% of the meeting.

Public Comment:
- **Emile Lawrence:** Opposes attendance, believes commission should be paid more.
- **Chuffa**: Doesn't agree either.
- **Jacob Bretholz**: I would like to suggest to the Commission to not pass judgment on issues they do not understand.
- **Roll Call**

AYES: Benjamin, Breslin, Gillespie, Heinicke; Paek, Oneto, Kwok
NOES: 0
ABSENT: RECUSED: 0

5. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Director Machen:** Gave her staff report on meetings, correspondences, etc.
- **Sgt Reynolds**: Looking into motivating officers. Would like to train officers on enforcement.
- **Com Benjamin**: Would like the City Attorney to look into whether or not we can continue a medallion recipients case, since he did not bring in all his information to the Commission on time to be heard at this hearing, especially since we are not meeting before the end of the year. I looked further into Chuffa's case and he was not improperly skipped.
- **Com Breslin**: Commend the taxi flag process. Also thanks Com Benjamin for looking into Chuffas' case. Happy to hear about the Macy's stand as well.

Public Comment:
- **Barry Taranto**: Feels slighted from not being invited to PUC meeting. Macy's stand is well working.
- **Mark Gruberg:** Maybe the Commission should look into hiring staff/investigators to address illegal limos and taxis.
- **Chuffa:** The Commissioners are trying to work against me.
- **Steve Reimers:** Christmas time is a great time for our industry.
- **Ruah Graffis:** I use the Macy's stand everyday, but it's no good to have it there if there isn't any enforcement.
- **MikeSpain**: If there is such a need to increase cabs, why not allow the spares to go out during peak hours?

6. **Consideration of the Consent Calendar. [ACTION]**

- **DirectorMachen:** Recommends that items E,G,& H to be severed.

Public Comment:
- **MarkGruberg on behalf of Barry Taranto:** Alexander Alterman medallion 208, was driving around regularly up until last night.
- **Carl McMurdo:** Commission should consider the calendar as the first item on the agenda.

- **Com Oneto:** Motion on consent calendar
- **Com Kwok :** 2nd Motion

AYES: Benjamin, Breslin, Heinicke; Paek, Oneto, Kwok NOES: 0
ABSENT: 0 RECUSED: 0

- **Com Breslin:** Motion
- **Com Kwok:** 2nd Motion
- **Roll call on E 1,2,&4**

AYES: Benjamin, Breslin, Heinicke; Paek, Oneto, Kwok NOES: 0
ABSENT: RECUSED: Gillespie

- **Com Heinickie:** Per Mark's comments, can we look into whether Mr. Alterman was driving medallion 208.
- **Director Machen:** We will look into this issue.
- **Com Oneto: Motion**
- **Com Breslin: 2nd Motion**
- **Roll call**

AYES: Benjamin, Breslin, Gillespie, Heinicke; Paek, Oneto, Kwok NOES: 0
ABSENT: RECUSED:

- **Director Machen:** Item G, Mr. Le's case. He has brought items requested by this commission to prove he was in Vietnam, caring for his mother. The Commission needs to decide on whether or not to reinstate him.
- **Pres Gillespie:** I think we should reinstate him, even though this is unprecedented issue to vote on. Since I think his reasons are valid.
- **Com Heinickie:** I do not think he should be reinstated, since our decision should not be based on exceptions.
- **Com Oneto:** Based on his information, he had 10 days to renew his A card before going on his trip. We have rules and we should follow them.
- **Roll call** to reinstate Mr. Le to number 1 on the list

AYES: Benjamin, Breslin, Gillespie, Paek, Kwok NOES: Heinickie, Oneto
ABSENT: RECUSED:

- **Director Machen:** Item H on consent calendar.

- **Richard Hybels:** Would like an extension for 4 of his 1999 spares to reach 350k.
- **Com Heinickie:** I do not want to set this precedent and I don't want to have him on a wild goose chase. But setting the policy would be a interesting.
- **President Gillespie:** Motion to continue per the call of the chair.
- **Com Breslin: Motion**
- **Com Kwok: 2nd Motion**
- **Roll Call**

AYES: Benjamin, Breslin, Gillespie, Heinicke; Paek, Oneto, Kwok NOES: 0
ABSENT: 0 RECUSED: 0

7. **Public Comment (Please limit public comment to items NOT on the agenda).**
- **Jacobs Bretholz:** Do not make assumptions just yet, keep open mind. I will prove the ED and Deputy Director are felonies.
- **Rich Hybels:** 100's of cabs driving without worker's compensation. I'm paying a lot of money, when others aren't paying a thing.
- **CoreyLamb:** Pedestrians play a large role in traffic at Monster park. The police should really look into it.

8. **Adjournment**

Respectfully Submitted,

Tamara Odisho
Executive Secretary and Outreach Coordinator

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CITY AND COUNTY OF
SAN FRANCISCO

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MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

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